THE XXIII PARLIAMENT OF OUR MOST HIGH AND DREAD SOVERAINE *JAMES* BY THE GRACE *OF GOD*, KING OF SCOTLAND, ENGLAND, FRANCE, and IRELAND: Defender of the Faith; &c.

Halden at Edinburgh, *the* 4. *day of Auguſt* 1621. by the Noble and Potent Lord JAMES Marquis of *Hamilton*, Earle of *Arrane*, and *Cambridge*; Lord *Aven*, and *Innerdail*, &c.: Commiſſioner appointed for halding of the ſaid *Parliament*, by vertue of his MAJESTIES Commiſſion granted to him vnder the great Seale of this *Kingdome*: with the ſpeciall adviſe, conſent and aſſent of the ESTATES of this Realme.

Extracted foorth of the Regiſters and the Bookes of the Acts of Parliament of this KINGDOME of SCOTLAND, By SIR GEORGE HAY, of KINFAWNS, Knight: Clerke of his MAIESTIES Counſell, Regiſter, and Rolles.

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THE PRINTED ACTS AND LAVVES

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THE

THE XXIII PARLIAMENT OF OUR MOST HIGH AND DREAD SOVERAINE *JAMES* BY THE GRACE OF GOD, KING OF SCOTLAND, ENGLAND, FRANCE, and IRELAND: Defender of the Faith; &c.

Halden at Edinburgh, *the* 4. *day of Auguſt* 1621.

by the Noble and Potent Lord JAMES Marquis of *Hamilton*, Earle of *Arrane*, and *Cambridge*; Lord *Aven*, and *Innerdaul*, &c.: Commiſſioner appointed for halding of the ſaid *Parliament*, by vertue of his MAJESTIES Commiſſion granted to him vnder the great Seale of this *Kingdome*: with the ſpeciall adviſe, conſent and aſſent of the ESTATES of this Realme.

ACT. I.

A Ratification of the Five Articles of the Generall Aſſembly of the KIRKE, *halden at* Perth *in the Moneth of Auguſt* 1618.

OUR SOVRAINE LORD, With advyſe and conſent of the ESTATES of *Parliament* preſently conveined, ratifies and approves the Acts of the Generall Aſſembly of the Kirk, halden at *Perth*, the xxv. day of Auguſt the yeare of GOD Jm VIc and eighteen, and concluded the twenty ſeventh of the ſame Moneth, *Seſſione ſecunda*, Whereof the tenor followeth.

I.

SINCE We are commanded by GOD himselfe, that when wee come to worship him, wee fall downe and kneele before the LORD our Maker; and considering withall, that there is no part of Divine worship more heavenly and spirituall, then is the holy receiving of the blessed body and blood of our LORD and Saviour JESUS CHRIST: Lyke as the most humble and reverend gesture of the body in our meditation and lifting vp of our hearts, best becommeth so divine and sacred an Action. Therefore notwithstanding that our KIRK hath used since the reformation of Religion, to celebrate the holy Communion to the people sitting, by reason of the great abuse of kneeling vsed in the Idolatrous worship of the Sacrament by the Papists: Yet now, seeing all memory of by-past superstition is past. In reverence of GOD, and in due regaird of so Divine a Mysterie, and in remembrance of so mysticall ane Union, as wee are made partakers of; The Assembly thinketh good, that, that blessed Sacrament be celebrated hereafter meeklie and reverently vpon their Knees.

II.

ITEM, if any good Christian visited with long sicknes, and knowne to the Pastor; by reason of his present infirmitie, vnable to resort to the Kirke, for receiving of the holy Communion, or being sicke, shall declare to the Pastor vpon his conscience, that hee thinkes his sicknesse to be deadly, and shall earnestly desire to receiue the same in his house: The Minister shall not deny to him so great a comfort, lawfull warning being given to him vpon the night before, and that there bee three or foure of good Religion and conversation, free of lawfull impediments, present with the sicke person to communicate with him, who must also provide a convenient place in his house; and all things necessarie for the reverend administration thereof, according to the order prescrived in the Kirke.

III.

ITEM, the Minister shall often admonish the people, that they differre not the Baptising of Infants, any longer then the next Lordes day after the childe bee borne, vnlesse vpon a great and reasonable cause declared to the Minister, and by him approved. As also they shall warne

warne them, that without great cauſe they procure not their children to be baptized at home in their houſes, but when great neede ſhall compell them to baptize in privat houſes (in which caſe, the Miniſter ſhall not refuſe to doe it, vpon the knowledge of the great need; and beeing timely required thereto) then Baptiſme ſhall bee adminiſtred after the ſame forme as it ſhould haue been in the Congregatioun. And the Miniſter ſhall, the next Lordes day after any ſuch private Baptiſme, declare in the Kirke; that the Infant was ſo baptiſed, and therfore ought to be received as one of the true flocke of CHRISTS folde.

IV.

ITEM, foraſmuch as one of the moſt ſpeciall meanes for ſtaying the increaſe of Poperie, and ſetling of true Religion in the harts of the People, is; That a ſpeciall care bee taken in tryall of young children their education, and how they are catechized: Which in tyme of the Primitiue KIRK was moſt carefully attended, as being moſt profitable to cauſe young children in their tender yeares, drinke in the knowledge of GOD, and his Religion, but is now altogether neglected in reſpect of great abuſe and errours which crept into the Popiſh Kirke; by making thereof a Sacrament of Confirmation: Therefore that all ſuperſtitions built thereupon may bee reſcinded, And that the matter it ſelfe being moſt neceſſarie for the education of the youth, may be reduced to the Primitiue integritie.

IT is thought good that the Miniſter in everie pariſh ſhall catechize all young chilldren of eight yeares of age, and ſee that they haue the knowledge, and bee able to make rehearſall of the Lords Prayer, Belief, and ten Cõmandements, with anſwers to the queſtions of the ſmall Catechiſme uſed in our Kirke: And that everie Biſhop in his viſitation ſhall cenſure the Miniſter who ſhall bee found remiſſe therein; And the ſayd Biſhops ſhall cauſe the ſayd children to be preſented before them, and bleſſe them with prayer for the increaſe of their knowledge: and continuance of Gods heavenlie graces with every one of them.

V.

ITEM, as Wee abhorre the ſuperſtitious obſervation of Feſtivall dayes by the Papiſts, and deteſt all licentious and prophane abuſe thereof, by the common ſort of Profeſſors; So we think, that the ineſtimable benefites received from God, by our Lord JESUS CHRIST his Birth, Paſſion, Reſurrection,

ſurrection, Aſcenſion, and ſending downe of the Holy Ghoſt, was commendably and godly remembred, at certaine particular dayes and times by the whole Kirke of the world; and may bee alſo now. Therefore the Aſſembly Ordaines, that every Miniſter ſhall vpon theſe dayes haue the commemoration of the foreſayd ineſtimable benefites, and make choyſe of ſeverall and pertinent Texts of Scripture, and frame their Doctrine and Exhortations thereto; and rebuke all ſuperſtitious obſervation, and licentious profanation thereof.

Which Articles and Ordinances, OUR SOVERAINE LORD with the advyſe and conſent of the ESTATES, Statutes and Ordeines to bee obeyed and obſerved by all his Maieſties ſubjects as Lawes in time comming; Anulling and reſcinding whatſomever other Acts of Parliament, Conſtitutions and Cuſtomes; In ſo farre as they are derogatiue to any of the Articles aboue-written.

ACT. II.

Anent the Taxation granted to his Majeſtie *of Threttie ſhillings tearmly, vpon the pound Land, and the twentie pennie of all Annuel-rents.*

IN the PARLIAMENT holden at *Edinburgh*, the fourth day of *Auguſt*, the yeare of God 1621. the ESTATES of parliament preſently conveined, conſidering the infinite expences and great burden which the Kings moſt ſacred Maieſtie their dread Lord and Soveraigne, hath been conſtrained by the ſtraiteſt bonds of religion to vndergoe of late, and in all likelyhood ſhall lye under a long time; By procuring by Treatiſe or Armes, eaſe and libertie to thoſe who ſuffer for the Gotpell of Chriſt Jeſus profeſſed in this land: and therewithall calling to mynde the long peace flooriſhing with Religion and Juſtice, which they haue enioyed theſe many yeares paſt; and doe yet ſtill enioy in this vniuerſall combuſtion of the Chriſtian world, and that by the wiſe, iuſt and happy governement of his ſacred Maieſtie: and that they haue nothing to bee retourned to ſo great a King for ſo exceeding greate and rare benefites, but heartie and zealous affections ceeding to no Nation, and ever ready with their goods, landes, and liues, to maintaine true Religion, his Maieſties royall perſon and poſteritie, their Honours and Crownes. Therefore in moſt humble manner, The ſayd whole Eſtates of this Realme doe earneſtly beſeeke his moſt ſacred Maieſtie graciouſly to accept their offer of ane Taxation to bee impoſed, collected, and payed to his Highneſſe, by the ſayd Eſtates in manner and at the foure

Tearmes

Tearmes following: That is to ſay, The Earles, Lords, and Commiſſioners of Shyres, for the Temporall Eſtate, haue granted, That there ſhall be vp-lifted of every pound Land of auld extent, within this Realme, pertaining to Earles, Lords, Barons, Free-holders, and Fewars of his Maieſties proper Lands, the ſumme of Thirtie ſhillings money at every ane of the foure Tearmes following, (viz.) The ſumme of XXX. ſhillings at the Feaſt and Tearme of Candlemes next to come, in the yeare of GOD 1622. The ſumme of other XXX. ſhillings at the Feaſt and Tearme of Martinmes, in the yeare of GOD 1622. The ſumme of other XXX. ſhillings at the Feaſt and Tearme of Martinmes in the yeare of GOD 1623. And the ſumme of other XXX ſhillings at the Feaſt and Tearme of Martinmes in the yeare of GOD 1624. The Arch-biſhops, and Biſhops for the Spirituall Eſtate, haue granted that there ſhall bee vp-lifted of all Archbiſhopricks, Biſhopricks, Abbacies, Priories, and other inferior Benefices within this Realme, at every ane of the Foure Tearmes aboue ſpecified, the juſt Taxation thereof, as they haue been accuſtomed to be taxed vnto at all time by-gone, whenſoever the Temporall lands of this Realme were ſtented to thirtie Shillings of auld extent: and the ſame Taxation to be payed at every ane of the foure ſeverall Tearmes aboue ſpecified. And the Commiſſioners of Burrowes for their ESTATE, haue granted, that there ſhall bee vp-lifted of all Burrowes within this Realme, at everie ane of the Foure Tearmes aboue written, the iuſt Taxation thereof, as they haue been accuſtomed to be taxed in all time by-gone, whenſoever the Temporall landes within this Realme were ſtented to thirtie ſhillings the pound land of auld extent. And the ſaid Taxation to bee payed at every ane of the Foure ſeverall Tearmes aboue-written. And in regard that his Maieſtie hath erected ſundry Prelacies in temporall Lordſhips, whereby the owners thereof may claime to be taxed with the Barons of the Temporall Eſtate, and there-throw his Highneſſe would be defrauded of a great part of the ſame Taxation.

THEREFORE IT IS Statute and Ordained, that all Erections of Prelacies and other ſmall Benefices, in whole or in part, in Temporall Lordſhips, ſhall in payment of the ſayd taxation, pay to the Collectors thereof ſo mekle of the ſame Taxation [*pro rata*] as if they were no wyſe erected, and as they were ſubiect to do before the erection of the ſame. And ſicklike, IT IS Statute and Ordained, That all diſſolved Benefices within this Realme, in whole or in part, ſhall bee ſubiect in payment of ſo mekle of the ſame Taxation [*prorata*] as they would haue been ſubiect to pay ſo the ſame had not been diſſolved, and that the parties who haue gotten any part or portion of any Prelacies, or other inferior Benefices diſſolved, and new ſecurities made vnto them by his Maieſtie, of that part and portion thereof ſo diſſolved, ſhall be ſubiect to the payment of the Taxation thereof to the Prelate, or other beneficed perſon, for his reliefe of the ſame Taxation, as they would haue been, ſo the ſame had not been diſſolved: Notwithſtanding of any condition contained in the infeftments and ſecurities made by his Maieſtie to them in the contrarie hereof.

AND FOR DER, the ſaid Eſtates Annulles and diſcharges all Priviledges and Immunities whatſoever, whereby any perſons may thinke themſelues free of payment of this preſent Taxation (the Priviledges granted to the Ordinar Senators of the Colledge of Iuſtice, and the Taxation

of the Benefices given, disponed, and mortified for the intertainment of the Universities and Colledges within this Kingdome onely excepted.) AS ALSO the said Estates considering that besides the ordinarie charges which his Maiestie doth daily vndergoe for the maintainance of the Honor, Estate and Dignitie of his Highnes Kingdomes. The extraordinarie burdings which now lye vpon his Maiestie by the occasions before-written, are so great, and doe so neare concerne every Loyall and true hearted Subject of this Kingdome, as members of that body whereof his Maiestie is the head: that in duetie they thinke themselves bound to beare a part of that burden, & to relieve his Maiestie thereof. Therefore besides the Ordinar Taxation aboue-written, THE sayd Estates haue for the space of Foure yeares next and immediately following the Tearme of Martinmesse next to come, Voluntarly and freely granted to his Maiestie a yearlie extra-ordinar Taxation of the Twentie pennie of all Annuell-rentes, which any person or persons within this kingdome haue freely due and payable to them yearly or tearmly [their owne Annuell-rent wherein they are indebted to others, being first deduced.] The first Tearmes payment whereof shall bee and begin at the said Feast and Tearme of Martinmesse next to come, and so forth yearly and tearmly at Whitsonday and Martinmesse, while the said Foure yeares, and the Eight Tearmes payment thereof be fully and compleatly out-run. AND for the better tryall of everie man his Annuel-rent which he hath yearly or tearmly due to him: IT IS ordeined, That this Act shal be published at the Market-crosse of the Burgh of *Edinburgh*, and of the whole head Burrowes of the Shyreffdomes, Stewardries, Bailyeries, and Regalities, within this Kingdome, whereby all his Maiesties Lieges may haue true notice thereof, And therewithall the said Estates WILLES, Ordeines and Commands, all his Maiesties Lieges that haue any Annuell-rent payed to them, That they compeir within the said head Burgh of the Shirefdome, Stewardrie, Bailyrie, or Regalitie, or the head Burgh in any of these Jurisdictions where the head Courts are halden, and where the said Annuell-renters dwell, or haue their ordinar residence, in any court day in ane of the last weekes immediately preceiding Whitsonday or Martinmesse. At which time the Shyreffes, Stewards, Bailyes, and Bailyes of Regalities, and Provest and Bailyes of Burrowes; who are heretable Shyreffes within themselues, within the bounds of their Jurisdictions; shall bee oblished to hold courts weekly to the effect after-specified. And the Lieges resorting to the said Courts, shall giue vp Inventors to the Clerk thereof, of the whole summes of money for which Annuel is due to them yearly and tearmly, the names of the Debters: As also the whole summes of money for the which they are subiect in payment of annuell-rent to others, with the Names of their Creditors to whom the same is due, whether the same annuell rent bee in Victuall or Silver, The annuell-rent of victuall to be estimate according to the Stock of money for the which it is paid at Ten for ilk hundreth thereof, And shall cause the parties vp-givers of the said Inventors, everie partie subscriue his owne Inventor himselfe if hee can write, and if hee cannot write, the Clerke of the said Court shall subscriue the said Inventor in face of Court, before the members thereof. And also the Shireffe, Steward, Bailye, Bailye of Regalitie, Provest and Bailyes of Burrowes, who are heretable Shireffs within themselues, within the boundes of their Jurisdictions: And Clerkes

them

themſelues ſhall make and giue vp an Inventor of the debts owing vnto themſelues, and by themſelues, as ſaid is. IT IS alwayes provided, that if any perſon, impeaded by reaſon of ſickneſſe, or diſtracted by ſome other juſt occaſion, ſhall not bee preſent himſelfe, to giue vp the ſaid Inventor, It ſhall bee lawfull for him to cauſe any honeſt reſponſible man, within the juriſdiction where hee dwelleth, compeir, and giue vp his Inventor: Providing the ſame bee ſubſcribed by himſelfe, or a Notar at his command, which the In-giver ſhall declare to bee a true Deede, and abide at the ſame, on the like hazard and danger as the principall partie ſhould vnder-lye: which ſhall bee as ſufficient as if the Inventor had been perſonally given vp by the principal partie himſelf. And an Inventor being once made, and given vp, ſhall ſtill ſtand, and bee a ground to charge any perſon, during the time of the foure yeares of the ſaid Taxation, vnleſſe the partie change, or otherwayes employ his ſummes: And then hee ſhall giue vp a new Inventor, which ſhall bee a new ground of a charge, and the former ſhall ceaſe. And the ſaide Clerke ſhall make a Record in his Regiſter of the ſaydes whole Inventors: which Inventors being ſo recorded, ſhall bee extracted by the ſayd Clerke, and ſubſcribed with his hand, and three Extractes made of the ſame: one to bee given to the partie, if hee require the ſame: another to bee ſent, by the ſayd Clerke, to the Collector of the ſame Taxation: and the third, to bee likewiſe ſent, by the ſayd Clerke, to the CLERKE of his MAJESTIES REGISTER, to bee ſtill keeped amongſt the recordes of His Highnes Exchecquer: to the effect it may bee knowne how farre every partie is lyable in the payment of the ſayd extraordinarie Taxation. For the which Extract, and Note made in regiſter, the ſaid Clerke ſhall haue of every perſon, vp-giver of an Inventhe, the ſumme of foure ſhillinges Scots money. And if by ſlouth, or malice, the Clerke ſhall happen to delay, or ſhift the Lieges reſorting to the ſayd Courtes to the effect aforeſayd, (Complaint being made thereof to the Lordes of His Maieſties Secret Counſell) the ſayd Clerkes ſhall be puniſhed accordingly, at the diſcretion of the ſaid Lords. And at any Court day, preceeding any Tearme, it ſhall be lawfull for any perſon to compeare, and offer to giue vp his Inventor, which the Clerk and Iudge ſhall be aſtricted to receiue.

FURTHER, For the better obſervation of the ſaid Statute, It is declared, That whoſoever receiveth, retaineth, or conditioneth to receiue any Annuell-rent, and concealeth the ſame, or any part thereof: or in giving vp of his Inventor of Debtes, and Annuels owing by him vnto his juſt Creditors, giveth vp more then hee is iuſtly addebted into, Whoſoever firſt diſcovereth, and revealeth either the Annuell concealed, or Annuell which is more then the vp-givers iuſt debt, ſhall for his reward haue the halfe of that Tearmes concealed Annuell, and as much as the halfe of that Annuell which ſhall bee diſcovered to haue beene vnjuſtly given vp. And in caſe it ſhall happen any perſon whatſoever, by vertue of his vp-given Inventor, to be charged for payment of his Taxation, and at the time of his charge to declare in preſence of a Iudge, by his great Oath ſolemnedly ſworne, that his Debtor is a Banke-rupt, whereby hee is diſabled to make payment of his Taxation, and is contented that the Kings Maieſtie ſhall haue the whole Annuell-

rent addebted vnto him by his banke-rupt debter of that Tearme: His ſaid declaration ſhall be a ſufficient Liberation to him of the ſame. And for eſchewing of malicious Dilatours of thoſe who haue omitted or concealed their ſummes, IT IS ordained, That whenſoever any perſon ſhall accuſe or dilate another of concealing or omitting of Summes the time of making his Inventor, Hee ſhall condeſcend vpon ſome probable cauſe of his dilation, and ſhall finde caution [*de judicato ſolvi*] in caſe he faile in proving that which he dilateth: And there ſhall not ſuch actions of dilations bee lawfull againſt dead perſons, their Heires, nor Exequutors: Neither ſhall it bee lawfull, after yeare and day, after the expiring of the ſayd Taxation, to intend any ſuch action. And in caſe any perſon purchaſe wed-ſette of Lands, and ſet the ſame backe againe in tacke unto him who wed-ſet the ſame unto him, The Tacks-man, poſſeſſour of the Landes, ſhall pay for the ſtent of the Landes, and the haver of the wed-ſet ſhall pay for the Annuell-rent of his money which hee hath on the Land, as if the ſame were imployed for Annuell-rent. ATTOUR, JT ſhall not bee lawfull, by no manner of way, for any Creditour to get reliefe of his Debtor, of this Taxation which is impoſed vpon Annuell-rents by this Statute, vnder the paines contained in the Actes of Parliament made againſt Vſurers. And concerning Minors, JT JS declared, That their Minorities ſhall no wayes priviledge them: But their Tutors and Curators ſhall giue vp the Inventors of their Annuell-rents in their names: which if the ſayd Tutors and Curators faile to doe, the ſaid Minores ſhall incurre the like danger as others, and at their perfect age ſhall haue action of Reliefe againſt their ſaid Tutors and Curators for that cauſe. And in caſe any perſon depart out of this Kingdome, after the publication of this preſent Act, the ſame ſhall no wayes excuſe him from giving vp of an Inventor of his Annuell-rentes, and payment of the ſaid Taxation, and vnder-lying of the danger contained in this preſent Act. But thoſe who are preſently foorth of this Realme, and ſhall not returne before the Tearme of Martinmeſſe next, they ſhall not come vnder the danger of this Act, vntill the Tearme of Whitſonday next: Providing that at that tearme they giue up their Inventor, and pay their Taxation, as if they had been preſent within this Realme before the foreſaid Tearme of Martinmeſſe next. And for the vp-lifting of the foreſayd Taxation, granted vpon Annuell-rentes, And to the effect his Maieſties generall Collector thereof may know now whom to craue and charge for the ſame, JT JS Statuted and Ordained, That within every Shyreffdome, Stewardrie, Bayllyrie, and Regalitie, where the Offices of Shyreffes, Stewardes, and Bayllies are heretable: and the Proveſts and Bayllies of Burrowes, who are heretable Sheryffes within themſelues: Theſe heretable Officiers, and their Deputies, for whom they ſhall bee holden to anſwere, Shall collect the ſayd Taxation, and make payment thereof to his Maieſties Collector Generall of the foreſayd Taxations. And where theſe Offices are not heretable, but changeable, The Clerkes within the ſaid Iuriſdictions having their offices, [*advitam*] ſhall bee Collectors thereof. And in caſe the ſayd Clerkes haue not already found ſufficient Caution for diſcharging of their duties in their Offices, they ſhall bee holden before they haue any intromiſſion with the ſame Taxation, to finde ſufficient Caution

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tion for that effect. And where there are no heretable Officiers, nor Clerkes, having their Offices [*ad vitam*] the ſayd Collector Generall of His Maieſties Taxations (and his Deputies in his name, ſufficiently authorized by him: and for whom hee ſhall bee holden to anſwere, and whoſe Names hee ſhall cauſe publiſh at the Market Croſſe of the head Burgh of that Iuriſdiction where there is no heretable Officier nor Clerke [*ad vitam*] that his Maieſties Lieges may know unto whom they ſhall make payment) ſhall collect and up-lift the ſame Taxation. Which payment beeing made, the receiver thereof ſhall bee obliſhed to deliver unto the payer thereof an Acquittance upon the receipt of the ſame [*gratis*] without payment of any money for the ſame. IT IS likewiſe provided, That the Fees of the Collectors, and receivers of the ſame Taxation of annuell-rentes, ſhall bee, like as hereby they are remitted to the diſcretion and arbitriment of the Lordes of his Majeſties Privie Counſell, to bee ſet downe, and agreed upon by them. And the ſayde ESTATES hereby diſcerne and declare, That all Burgeſſes and Free-men within Burghes, albeit they bee taxed in the ordinarie Taxation abouewritten, with their Neighbours, conforme to the order preſcribed for collecting of the Burrowes parte of the ſayd ordinarie Taxation; Yet the ſame ſhall no wayes liberate, nor free them from payment of their parts of this extraordinarie Taxation alſo, according to the proportion of the twentie pennie of their annuell-rentes: but they ſhall bee lyable in payment thereof, as others his Majeſties Lieges are. ATTOUR, The ſayde ESTATES annull and diſcharge all priviledges and immunities whatſoever, whereby any perſons may thinke themſelues free of payment of any parte of this preſent Extraordinarie Taxation: The Priviledges and Immunities granted to the Ordinarie Lords of Seſſion, with the annuell-rentes due to be payed to Colledges, Schooles, and Hoſpitalles, or mortified for ſuſtentation and up-holding of Kirkes and Bridges, with the annuell-rentes which may bee claymed of poore people, whoſe ſtocke exceedeth not the ſumme of fiue hundreth markes onely excepted. AND the ſayd ESTATES diſcerne and ordaine the extraordinary Lordes of the Seſſion, togother with the whole Advocates, Clerks of the Seſſion, Writers to the Signet, Privie and Great Seales, and other members of the Colledge of Juſtice, to contribute to the ſayde Taxations, ſuch like as if they were not exemed: And that of their owne conſentes, and conforme to their voluntary offer made by them to his Maieſtie, and the ſayd Eſtates, upon this ſpeciall proviſion, That their ſayd voluntarie offer ſhall not preiudge nor impaire their liberties, priviledges, and immunities in any time comming. Which offer the ſayd Eſtates accepted, and accept: And will, and declare, That their ſayde Offer ſhall no wayes derogate to their priviledges and immunities: But that their ſayd priviledges and immunities ſhall bee kept, and obſerved unto them and their ſucceſſors in all times comming, unprejudged by the ſayd Offer.

ACT. III.

Anent the Collecting and in-bringing of the Taxation, and reliefe to Prelates.

FOR AS MUCH as the ESTATES of this preſent Parliament, upon good and weightie conſiderations, which mooved them, haue ſteely and voluntarilie offered and graunted to the Kinges moſt Excellent Majeſtie, OUR SOVERAINE LORD, for ſupplying of a part of the great Charges and Expenſes which His Majeſtie hath been conſtrayned, even by the ſtrayreſt bandes of Religion to undergoe of late, and by all likelyhood ſhall lye under a long time, by procuring by treatie, or Armes, eaſe and libertie to thoſe who ſuffer for the Goſpell of JESUS CHRIST, profeſſed in this Land, A Taxation to bee payed, collected, and up-lifted, in manner, and at the foure Tearmes following: That is to ſaye, For the Barrons and Free-holders partes of the ſame Taxation, Thirtie ſhillings Scots money, to be up-lifted of every pound land of old Extent within this Realme: pertayning to Earles, Lordes, Barrons, Free-holders, and Fewares, of our Soveraigne Lordes proper landes, holden by them immediately of His Maieſtie, and payed by them at everie one of the foure ſeverall Tearmes following: THAT IS TO SAY, The ſumme of Thirrie ſhillinges money, at the Feaſt and Tearme of Candlemeſſe next to come, in the yeare of GOD, one thouſande, ſixe hundreth, twentie and two yeares. The ſumme of other thirtie ſhillings money at the Feaſt and Tearme of Martinmeſſe, in the yeare of GOD 1622. yeares. The ſumme of other thirtie ſhillinges money, at the Feaſt and Tearme of Martinmeſſe, in the yeare of our GOD 1623 yeares. And the ſumme of other thirtie ſhillinges, money aforeſayde, at the Feaſt and Tearme of Martinmeſſe, in the yeare of GOD 1624. yeares. And for the Spirituall men, and the Burrowes partes of the ſame Taxation, That there ſhall be up-lifeed of everie Archbiſhoprieke, Biſhopricke, Abbacie, Priorie, and other inferiour benefice: and of every free Burgh within this Realme, at every one of the ſayde foure Tearmes of payment, the juſt Taxation thereof, and as they haue been accuſtomed to bee taxed unto in all times by-gone, whenſoever the Temporall landes within this Realme were ſtented to thirtie ſhillinges money the pound land of old extent: And the ſame Taxation to bee payed at every one of the foure ſeverall Tearmes aboue-written. AND for In-bringing of the Spirituall mens parts of the ſame Taxation, Ordaines letters to bee directed, charging all and ſundry Archbiſhops, Biſhops, Abbots, Priors, as likewiſe all Noblemen, and others, in whoſe favour the Erection of any Prelacie, or other inferiour Benefice, or any part or portion thereof, bee it in landes, Kirkes, or Teynds, or in whoſe favour the patronage of any Benefice, Kirkes, or Teyndes, is paſt, and all

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other beneficed perſons contayned in the Text Rolles, their Chalmerlains, factors and intromettours with their Rents and living to make payment of that ſumme that they and every one of them are taxt unto for every one of the ſayde foure Tearmes payment to the Collector Generall to bee appoynted by His Majeſtie, for receiving of the ſayd whole Taxation, or to his Deputies, and Officiares in his name, having his power to receiue the ſame at the particular Tearmes aboue-written, under the payne of rebellion, and putting of them to the Horne. And if they fayle therein at the by-paſſing of every one of the ſayde Tearmes, to denounce the Diſobeyers Rebelles, and put them to the Horne: and to eſcheate, &c. And that the Prelates, and beneficed perſons, and ſuch Noble-men, and others, in whoſe favours the Erections and Patronages aboue-written, are paſt for their reliefe, haue Letters, charging their Vaſſalles, Sub-vaſſalles, Ladies of Terce, Conjunct-feears, Life renters, Fewardes, Tackeſ-men, and Penſioners, to make payment of their partes of the ſayde Taxation, each one of them [*pro rata*] according to the ſumme that they ſhall be taxed unto: To the ſayde Prelates, and other beneficed perſons, and to the ſayd Noble-men, and others, having power to receiue the ſame, within twentie dayes next after the charge, under the payne of rebellion, &c. And if they fayle, to denounce, and Eſcheate, &c. And to poynd and diſtraine therefore, as they ſhall thinke moſt expedient: Providing alwayes, That the firſt Tearmes payment of the ſayde Taxation bee ever paſt, before the next Tearmes payment be charged for. Alwayes declaring, that the production of ſufficient Horninges againſt the ſayd Vaſſalles, Fewars, Tackes-men, and Penſioners, ſhall bee a reliefe to the ſayd Prelates, Lordes of Erections, and beneficed perſons: And ſhall exoner them [*pro tanto*] from payment of the ſayd taxation: providing that the ſame Horninges, with their Taxed Rolles, auttentickly made, and ſubſcribed by the ſayd Prelates Lordes of Erections, and beneficed perſons, and by their Fewars, Vaſſalles, Tackes-men, and Penſioners, in manner hereafter preſcribed, containing the particular ſumme which each one of them are taxed unto, bee delivered to the Collector of the ſame taxation, within the ſpace of threeſcore dayes after every Tearme: Otherwayes he ſhall be no wayes obliſhed to receiue the ſame. Neyther ſhall the Prelate, Lord of Erection, and beneficed perſon, be exonered, by production of the ſame, at any time thereafter. AND FURTHER, That the ſayde Prelates, and ſuch Noble-men, and others, in whoſe favours the Erections and patronages aboue-written, are paſt, and all other beneficed perſons, may haue their reliefe of their ſayd Vaſſals, Sub-vaſſals, Ladies of Terce, Conjunct-feears, Life-renters, Fewars, Tackes-men, and Penſioners, to the greater eaſe, and leſſe trouble of their ſayd vaſſals, and others foreſayd.

AND, to the effect that every one proportionally may pave his part of the ſayde taxation, according to the quantitie and avayle of the free rent which he hath of his Benefice, Landes, Penſion, Kirkes, and Teynd ſheaues pertayning to him, as well the Prelate, Lord of Erection, Patron, and other beneficed perſons, themſelues, as the Fewar, Tackeſman, and penſioner. IT IS thought expedient, ſtature, and ordayned, That the ſayd Prelates, and others aboue rehearſed, everie one of them ſeverally ſhall conveane his whole Fewars, Vaſſalles, Tackeſ-

men, and Penſioners, at the particular places hereafter deſigned: THEY ARE TO SAY, The Archbiſhop of SAINCT-ANDREWES, at the Citie of Sainct-Andrewes: The Archbiſhop of Glaſgow, at the Citie of Glaſgow: The Biſhop of Orknay, at the Towne of Kirkewall: The Biſhop of Caitnes, at the Towne of Durnoch: The Biſhop of Roſs, at the Towne of Chaunrie of Roſs: The Biſhop of Murray, at the Towne of Elgin: The Biſhop of Aberdene, at the Burgh of Aberdene: The Biſhop of Brechin, at the Burgh of Brechin: The Biſhop of Dunkeld, at the Towne of Dunkeld: The Biſhop of Dumblane, at the Towne of Dumblane: The Biſhop of Galloway, at the Towne of Wigton: The Biſhop of Argyle, at the Burgh of Jnneraray: The Biſhop of the Yles, at the Burgh of Rothſay in Bute: The Abbot of Icolmekill, at the Burgh of Innerneſſe: The Prior of Ardchattane, at the Burgh of Inneraray: The Abbot of Ferne, at the Burgh of Thayne: The Lord of Bewlie, at the Burgh of Innerneſſe: The Lord of Kinloſſe, at the Burgh of Forres: The Prior of Pluſcarden, at the Burgh of Elgin: The Lord of Deir, at the Towne of Peterhead: The Prior of Fyvie, at the Towne of Turreff: the Prior of Monymuske, at the Towne of Monymuske: the Lord of Arbroith, at the Burgh of Arbroith: the Lord of Scone, at the Burgh of Pearth: the Lord of Cowper, at the Towne of Cowper, in Angus: the Prior of Reſtenneth, at the Burgh of Forfar: the Collector of the Taxation, in place of the Prior of Charter houſe, the Seate now vacand, at the burgh of Pearth: the Prior of Elcho, at the ſame burgh of Pearth: the Prior of Straphillane, at the burgh of Inneraray: the Lord of Inchaffray, at the burgh of Pearth: the Prior of Inchmahomo, at the burgh of Sterling: the Prior of Sainct-Androis, at the Citie of Sainct-Androis: the Baylie of the Regalitie of Dumfermling, at the burgh of Dumfermling: the Lord of Balmerinoch, at the burgh of Cowper in Fyfe: The Lord of Lindores, at the burgh of Cowper in Fyfe: The maſters of Sainct Leonards Colledge, in Sainct Androis, for the Prior of Portmooke, at the burgh of Cowper in Fyfe: the Prior of Pettin-weyme at the burgh of Pettin-weyme: the Lord of Saint-Colmbe, at the burgh of Innerkething: the Lord of Culros, at the burgh of Culros: the Abbot of Cambuskynneth, at the burgh of Sterling: the Lord of Torphichin, at the burgh of Linlithgow: the Prior of Manuell, at the burgh of Linlithgow: the Lord of Holy-Rud-houſe, at the burgh of Edinburgh, the Lord of Newbottle, at the burgh of Edinburgh: The Prioreſſe of Hadington, at the burgh of Hadington: The Lord of the Temporall landes of the Priorie of North-berwicke, at the burgh of North-berwicke: The Patron, and Parſon, of the Kirke of Kynnewchar, diſſolved from the Priorie of North-berwicke, at the Towne of Ely: The Patron, and Parſon, of the Kirke of Largo, diſſolved from North-berwicke, at the Towne of Largo: The Patron and Paiſon, of the Kirke of Mayboill, diſſolved from North-berwick, at the burgh of Mayboill: The Patron, and Parſon, of the Kirke of Logy, diſſolved from North-berwicke, at the burgh of Sterling: The Lord of Kelſo, at the Towne of Kelſo: The Lord of Coldinghame, at the Towne of Eymouth: The Lord of Dryburgh, at the Towne of Dryburgh: The Prior of Eccliſ, at the Towne of Dunſs: The Prior of Cauld-ſtreame, at the Towne of Dunſs: The Lord of Jedburgh, at the burgh of Jedburgh: The Lord of Melros, at the

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Towne of Melros: The Lord of Paiſley, at the Towne of Paiſley: The Lord of Blantyre, at the Burgh of Glaſgow: The Lord, and Baylie of the Temporall landes of Kilwynning, at the Burgh of Irwing: The Patrons, and Parſons, of the Kirks of Kilwynning, diſſolved fron the Abbacie of Kilwynning, at the ſayde Burgh of Irwing: The Abbot of Corſraguell, at the Towne of Mayboill: The Prior of Whitehorne, at the Burgh of Whitehorne: The Abbot of Saulſet, at the Burgh of Whitehorne: The Prior of Sainct-Marie Yle, at the burgh of Kirkeudbright: The Lord of Duudrenane, at the Burgh of Kirkchudbright: The Lord of Glenluce, at the Burgh of Wigton: The Abbot of Toungland, at the Burgh of Wigton: The Abbot of New-Abbey, at the Burgh of Dumfreis: The Abbot of Holywood, at the Burgh of Dumfreis: The Prior of Cannabie, at the Burgh of Annand: The Barron, and Baylie of the Barronie of Brouchton, diſſolved from the Lordſhip of Holy-Rude-houſe at the Burgh of Edinburgh: The Heritoures of the one hundreth pound Land of the Barronie of Monkland, diſſolved from the Lordſhip of Newbottle, at the Citie of Glaſgow: The Miniſters of Felſoord, at Aire: Scotlandwell, at Sainct-Androis: Peibles, at Peibles: The Patron, and Parſon, of the Kirke of Dundie, diſſolved from the Abbacie of Lindores, at the Burgh of Dundie: And all other ſmall beneficed Parſons, at the Paroch Kirkes of their particular Benefices. And that they conveane, to the effect aboue-written, upon the penult day of October next to come, in the yeare of GOD one thouſand, ſixe hundreth, twentie one yeares: which is declared to be the preciſe day appoynted for all their Vaſſalles, Fewars, Tackſmen, and Penſioners, to keepe the ſayd Meeting. And that no farther Citation, nor Summonding, ſhall be requiſite, than the Proclamation and publication of this preſent Act, at the Market Croſſes of the Head Burrowes of this Realme.

AND HEREWITH it is reſolved, by the ſayde ESTATES, That if any Vaſſall, Sub-vaſſall, Fewar, Tackel-man of Teyndes, Penſioner, or any other, juſtly bound to make reliefe to the Prelate, Lorde of Erection, Patron, or other beneficed Parſon, of any parte of the ſayde Taxation: Shall ſend any procuratoures in his name, ſufficiently authorized, to the ſayde Meeting: The ſame ſhall not onely excuſe the abſence of the principall partie: but the procuratour in all thinges ſhall bee admitted, and received, to doe, and performe, in the Diſtribution of the ſayde Taxation, what could, or lawfully might haue been done by him who ſent him. IT IS in like manner declared, That the Prelate, Lord of Erection, patron, or other beneficed perſon, impeded by diſeaſe, or diſtracted upon ſome other neceſſarie occaſion, from attending that Meeting, having his abſence ſupplyed that day, by any ſufficient worthy perſon, whom hee ſhall appoynt, and authorize, to that effect, Shall bee as lawfull, as if hee were perſonally preſent himſelfe. And the partie ſo authorized, ſhall bee admitted, and reeeived, in all thinges to doe, and performe in the diſtribution of the ſame Taxation, what could, or lawfully might haue beene done, by him who ſent him.. IT IS Farther ſtatuted, and ordayned, That at the ſayde day of Meeting, the ſayde Prelates, Lordes of Erections, Patrones, and other beneficed perſons, ſhall by themſelues, or their procuratours lawfully authorized, as ſayde is, ſenſe and holde a Court, call by Name, and Sur-name, upon

every one of their Vaſſals, Sub-vaſſals, Fewars, Tackeſ-men of Teynds, penſioners, and others, obliſhed to relieue them of any part of the ſame Taxation: And lawfull time of day beeing bidden, ſhall ſhew to their ſayd Vaſſalles, Fewars, Tackeſ-men, and penſioners, or their procuratours compeiring for them, the quantitie of the Taxatiou impoſed upon their Prelacie, erected Lordſhip, or other benefice, autentickly ſubſcribed by the Clerke of the ſame Taxation. And they all, at the leaſt ſo many of them as ſhall conveine for this effect, with one conſent, ſhall diſtribute the ſame to be payd by every man, as well as by the Prelate, Lord of Erection, and preſent poſſeſſour of ſmall benefices, for the free rent that everie one of them hath of their prelacies, erected Lordſhips, and ſmall benefices, as by the Vaſſall, Fewar, Tackeſ-man, and penſioner, according to the great or ſmall quantitie of the free rent which everie one of them hath, eyther of their Landes, Teynds, or penſions. Which Certification to any of the ſayd perſons, Fewars, Vaſſalles, Tackeſ-man, or penſioner, that compeireth not by themſelues, or their procuratours, at the day and places aboue ſpecified, to the effect aforeſayd: That ſuch as ſhall conveine with the ſayd Prelates, Lords of Erections, patrones, and other beneficed perſons, or their procuratours, ſhall proceed in the equall diſtribution of the ſame Taxation, as well amongſt them that are abſent, as as preſent: And ſhall make, and ſubſcribe, an autenticke Taxt-rolle thereupon. And, in caſe, that none of the ſayd Vaſſalles, Fewars, Tackeſ-men, and penſioners, ſhall conveine at the day and places aboue-ſpecified, to this effect, by themſelues, or their procuratours, but ſhall wilfully abſent themſelues from the ſayde Meeting, It ſhall bee lawfull for the ſayd Prelates, Lordes of Erections, patrones, and other beneficed perſons, being preſent by themſelues, or their procuratours, at the daye and places aboue-ſpecified, to make, ſet downe, and ſubſcribe the ſame Taxt-Rolle. And in caſe any of the ſayd Prelates, Lordes of Erections, patrones, and other beneficed perſons, ſhall not conveine, by themſelues, or by their procuratours, at the day and places aboue ſpecified, particularly deſigned to every one of them, It ſhall bee lawfull for the ſayde Vaſſalles, Fewars, Tackeſ-men, and penſioners, at the leaſt ſo many of them as ſhall conveine, by themſelues, or their procuratours, to make, ſet downe, and ſubſcribe the ſayd Taxt-rolle. Which Taxt-rolle ſhall containe the particular ſumme that every one ſhall bee found iuſtly to bee addebted to pay, the parties name addebted to pay the ſame, and the cauſe wherefore the ſame ought to be payed. And being ſo ſet downe, eyther by the Prelate, Lord of Erection, patrone, or other beneficed perſon, or their lawfull procuratours, with ſo many of their Vaſſalles, Subvaſſalles, Fewars, Tackeſ-men of Teynds, penſioners, and others, obliſhed to relieue them of any part of the ſame Taxation, as ſhall conveine with them to this effect. And in caſe that none ſhall conveine with them, the ſame Rolle being then ſet downe by the Prelate, Lord of Erection, patron, or other beneficed perſon, or their lawfull procuratours: Or in caſe of their abſence, being ſet downe, made, and ſubſcribed by ſo many of the ſayde Vaſſalles, Fewars, Tackeſmen, and penſioners, as by themſelues, or their procuratours, ſhall conveine themſelues for this effect. THE SAID ESTATES Decernes to bee as lawfull in all reſpects, as if the whole number of perſons having entres therein, had conveined, made, ſet downe,

and

and ſubſcribed the ſame. Which Taxt-rolle being ſo ſet downe, made, and ſubſcribed, in manner aboue-written (and no otherwayes) and delivered to the Clerke of the Taxation, The ſayde ESTATES ordaynes him to giue warrant for giving of letters of Reliefe there-upon, Diſcharging him in any caſe to giue warrant for giving of letters of Reliefe upon any Rolle preſented unto him, not made, and autentickly ſubſcribed, in forme aboue-written, as hee will anſwer to the contrary, upon his perill.

IT IS likewiſe ſtatuted, and ordayned, that Tackeſ-men of Teynds ſhall haue Reliefe upon their Sub-tackeſ-men, [*pro tanto*] reſpect being had to the gerſome payed by the ſayde Sub-Tackeſ-men. And for inbringing of the Barrones and Free-holders partes of the ſame taxation, and of the Fewars and Rentalles of our Soveraine Lordes proper lands, their partes thereof, ordaynes letters to bee directed, charging all and ſundry Shyreffes, Stewardes, Baylies, their Deputies, and Clerkes, Fewars, Chamberlaines, and Receivers of our Soveraine Lordes proper landes, That they, and every one of them, within the boundes of their Offices, rayſe, and up-lift, the ſumme of Thirtie ſhillings, money of this Realme, of every pound land of old Extent, lying within the boundes of their Juriſdictions, for every one of the foure tearmes aboue ſpecified: and in-bring, and deliver the ſame unto the Collector aforeſayde, or to his Deputies, and Officiars in his name, having his power to receiue the ſame, at the particular tearmes aboue ſpecified, under the payne of rebellion, &c. And if they fayle at the by paſſing of everie one of the ſayde tearmes, to denounce and eſchate, &c. And for their reliefe, that letters bee directed, Charging all, and ſundry Earles, Lordes, Barrones, Free-holders, Fewars, and Rentallers, of our Soveraine Lords proper landes, perſonally, or at their dwelling places: And by open proclamation, at the Market Croſſes of the head Burgh of the Shyreffdome, Stewardrie, or Baylierie, where their landes lye, if they be within this Kingdome: And if they bee without this Kingdome, by open proclamation at the Market Croſſe of Edinburgh, Piere and ſhoare of Leith, upon threeſcore dayes warning, to make payment unto the ſayd Shyreffes, Stewardes, and Baylies, their Deputies, and Clerkes, Chamberlaines, and Receivers of our Soveraine Lordes proper landes, everie one of them for their owne partes [*reſpective*] of the ſayde ſumme of thirtie ſhillinges money foreſayde, for everie pounde lande of olde Extent pertaining unto them for every one of the ſayde foure tearmes payment, within twentie dayes next after they bee charged thereto, under the payne of Rebellion, &c. And if they fayle, To denounce, and eſcheate, &c. And if neede bee, that the ſayd Shyreffes, Stewards, Baylies, their Deputies, and Clerkes, Chamberlaines, and Receivers of our Soveraine Lordes proper landes, poynd and diſtraine the readieſt Goods and Geare beeing upon the ſayde landes therefore, as they ſhall thinke moſt meete and expedient. And that the ſayde Earles, Lordes, Barrones, Free-holders, Fewars, and Rentallers of our Soveraine Lordes proper landes, haue letters for their reliefe, to charge their Vaſſals, Subvaſſalles, Ladies of Terce, Conjunct-feears, and Life-renters, to make payment of their partes of the ſayde Taxation, within twentie dayes next after the charge, under the payne of rebellion, &c. And if they

fayle, to denounce, and eſchate, &c. And if neede bee, that they poynd, and diſtraine: providing alwayes, that the firſt tearmes payment of the ſayd Taxation bee ever paſt before the next tearme bee charged for. And for in-bringing of the Burrowes parte of the ſame taxation, Ordaines letters to bee directed, Charging the *Proveſt*, and Bayllies of each Burgh, to make papment of the Taxt and Stent thereof, to the Collector Generall foreſayde, his Deputies, and Officiares, in his name, having his power to receiue the ſame at the particular tearmes aboue ſpecified, under the payne of rebellion, &c. And if they fayle, to denounce, and eſcheate, &c. And for their reliefe, that letters bee directed, charging all, and ſyndry inhabitantes within each Burgh, to conveine, and elect certaine perſons, to ſtent their neighbours. And the ſayde Election being made, to charge the perſons elected, to accept the charge upon them, in ſetting of the ſayde Stent upon the Jnhabitantes of every Burgh: and to conveine, and ſet the ſame, and make a Stent-rolle there-upon, as effeires, within twentie foure houres next after their charge, under the payne of rebellion, &c. And if they fayle, to denounce, and eſcheate, &c. And ſuch like, the ſayde Stent-rolle being made, and ſet downe, as ſayde is, to charge the Burgeſſes, In-dwellers, and Jnhabitantes, within each Burgh, to make payment of their partes of the ſayd Stent, to the ſayd Proveſt and Baylies, couforme to the Taxt-rolle, to bee given out there-upon, within three dayes next after the charge, under the paine of rebellion, &c. And if they fayle, to denounce, and eſcheate, &c. And if need bee, that the ſayd *Proveſt* and Baylies poynd and diſtraine therefore, as they ſhall thinke moſt expedient. IT IS alwayes provided, That no perſon whatſoever, bee ſtented, or taxed, within Burgh, except according to the availe, and quantitie of his Rent, Living, Goods and Geare, which hee hath within Burgh: no wayes reſpecting his lands, nor poſſeſſions, which hee hath to Landward; for the which he will be obliſhed to pay taxation to other Officiars. *Providing* alwayes, that the firſt tearmes payment of the ſayd taxation be ever paſt, before the next be charged for.

ATTOUR, His Highneſſe, and His ſayde ESTATES, Decernes, and declares, That the charges to be given for payment of the ſayde Taxation, ſhall bee executed before the tearmes of payment aboue ſpecified, for every tearmes payment particularly by it ſelfe. And that the denunciation of Horning, following there-upon, ſhall not bee executed untill the tearmes of payment bee by-paſt. Which denunciation ſo following, upon the charges given before the ſayde tearmes of payment, the ſayde ESTATES decernes, and declares, to be valide, and ſufficient.

ATTOUR, His MAIESTIE, and the ſayde ESTATES, Conſidering the great abuſe which hath beene uſed in all times by-gone, by ſundry of the Lieges of this Realme, againſt all good conſcience, in cauſing their poore Fermorers, Tennentes, and Labourers of their Ground, beeing removeable, who are ſubiect in payment of very deare Fermes, and other Duties, to relieue them of the whole burden of the by-gone Taxations: which hath beene the occaſion of impoveriſhing of a great number of the ſayde Fermorers, Labourers, and Tennentes, and bringing of them to utter wracke, and ruine: Whereas of reaſon they ſhould

bee

bee altogether free from the payment of any Taxation, and the ſame ſhould bee payed by ſuch as haue free rentes, lands, and goods, of their owne. FOR REMEID whereof, it is ſtatuted and ordained, That no perſons whatſoever, exact or compell his Tennentes, or Fermoters, removeable, who pay Ferme, and other deare Duties, for the Landes occupied by them, to pay any part of this preſent Taxation, or to ſute reliefe at their handes of the ſame. And if the ſame be found done by any perſons, that they ſhall be called, and conveined therefore, before His Highneſſe Juſtice, and his Deputies, as violent and maſterfull Oppreſſoures of His Highneſſe ſubiectes, and puniſhed therefore, according to juſtice.

AS ALSO, the ſayd ESTATES conſidering, that beſides the ordinarie charges which His Maieſtie doth dailye vndergoe, for the maintaynance of the Honour, Eſtate, and Dignitie of His Highneſſe Kingdomes: the extraordinarie burthens, which now lyeth vpon His Maieſtie, by the occaſion before-written, are ſo great, and doeth ſo neare concerne everie Loyall and true hearted ſubiect of this Kingdome, as members of that body whereof his Maieſtie is the head, that in duetie they thinke themſelues bound to beare a part of that burthen, and to relieue his Maieſtie thereof. THEREFORE beſide the ordinarie Taxatiou aboue-written, the ſayd ESTATES haue for the ſpace of foure yeares, next and immediatly following the Tearme of Martinmeſſe next to come, voluntarily, and freely granted vnto his Maieſtie, a yearly extraordinarie Taxation, of the twentie pennie of all annuell rentes, which any perſon or perſons within this Kingdome, hath freely due and payable unto them yearly and tearmly, (their owne annuell rentes, wherein they are addebred to others, being firſt deduced.) The firſt tearmes payment whereof ſhall be, and beginne, at the ſayd Feaſt and Tearme of *Martinmeſſe* next to come: and ſo forth, yearly and tearmly, at Whitſonday and *Martinmeſſe*, vntill the ſayd foure yeares, and the eight tearmes payment thereof, be fully and compleatly out-runne.

AND WHEREAS The ſayd ESTATES haue by, Act of Parliament, authorized all and ſundry heretable Shyreffes, Stewards, Bailyes, and Bailyes of Regalities, and their Deputies, and the Proveſtes and Bailyes of Burrowes, who are heretable Shyreffes within themſelues, within the boundes of their Iuriſdictions: as likewiſe the Clerkes, within the Iuriſdictions where theſe Offices are not heretable: which Clerkes haue their Offices [*ad vitam*] to collect the ſayd extraordinarie Taxation, and make payment thereof to the Collector Generall, to be appoynted by His Maieſty for receiving of the ſame, THEREFORE, and for in-bringing of the ſame extraordinary Taxation, The ſayd ESTATES Ordaines Letters to be directed, Charging all, and ſundry the ſayd heretable Shyreffes, Stewards, Bailyes, Bailyes of Regalities, and their Deputies, and the ſaid Proveſt and Bailyes, who are heretable Shyreffes within themſelues, as likewiſe the Clerkes within the Iuriſdictions where theſe Offices are not heretable, That they, and everie one of them, by North the river of Dee, within the ſpace of fifteene dayes after everie Tearme of *Martinmeſſe* and Whitſonday: and that they, and everie one of them, by South the river of Dee, within the ſpace

often dayes after every Tearme of Martinmesse and Whitsonday, deliver to his Maiesties sayd Collector Generall, a true and iust Accompt and Inventor, of the whole summes of money due to be payed by any person within the boundes of their Iurisdiction, for his part of the sayd extraordinarie Taxation: And that they giue vp the same Compt and Inventor vpon their Oath, solemnedly sworne, that the same is iust and true: And make payment vnto his Maiesties sayd Collector Generall, or to his Deputies in his name: having his power to receive the same of the whole moneyes due to bee payed to his Maiestie, conforme to the sayd Compt and Inventor, within twentie dayes after each Tearme, vnder the paine of rebellion, &c.. And in case the sayd Shyreffes, Stewardes, Bailyes, Bailyes of Regalities, and Clerkes faile, to denounce and escheate, &c. For whose reliefe, that Letters bee directed, Charging all and sundry the sayd Annuell-renters, to make payment to the sayd Shyreffes, Stewardes, Bailyes, Bailyes of Regalities, Clerkes, Provest and Bailyes of Burrowes, of the sayd twentie pennie of all Annuell-rentes, freely due and payable to them, within twentie dayes next after the charge, vndet the paine of rebellion, &c. And if they faile, to denounce, and escheate, &c. And if need bee, that the sayd Shyreffes, Stewardes, Bailyes, Bailyes of Regalities, Clerkes, Provest and Bailyes of Burrowes, poynd and distrayne therefore, as they shall think most meet and expedient.

AND His HIGHNES, and ESTATES foresayd, Ordaines the Lordes of Session to bee onely Iudges to all suspensions to bee craved and suted by any of our Soveraigne Lordes Lieges, touching the said Taxations Which suspensions his Maiestie and Estates foresayd finds, may bee granted vpon lawfull and equitable reasons to bee considered by them, and discharges all other Judges within this Realme, of granting of any suspensions thereanent. With power to the said Lords to diligate fiue at the least of their ordinarie number, as they think expedient, To sit, cognosce, and decide the said suspensions, in time of vacance, if need be.

ACT. IIII.

An Act of Ratication, in favour of the PRINCE *His Highnes.*

OUR SOVERAINE LORD, With Advise and Consent of the ESTATES of PARLIAMENT, Ratifies, Approues: and for Him and His Successors, perpetually confirmes all, & whatsoever Infeftments, Gifts, Donationes, and other Rightes, and Titles, made, or granted by his MAJESTIE, or any others His most Noble Progenitoures to his Highnesse, CHARLES, PRINCE and STEWARD of SCOTLAND, His MAIESTIES Deareſt Sonne, or any others His High-

Highneſſe, the Prince, Predeceſſoures, Princes, and Stewards of SCOTLAND, of whatſoever Lands, Lordſhips, Barronies, Superiorities, Offices, Teyndes, Annuell-rents, Advocations, Donations and Rights of Patronage of Kirkes, Benefices, Chaplainries, Alterages, and others, whatſoever, where ever they lye within the Kingdome of SCOTLAND: together with all Actes of Parliament, other Actes, Lawes, Statutes, Conſuetudes, Jmmunities, Honours, Priviledges, Prerogatiues, and Liberties, whatſoever made, introduced, or Joyſed, by His Highnes, the Prince, or any His Highnes Predeceſſours, Princes of SCOTLAND, in any time by-gone. Notwithſtanding whatſoever Actes of Parliament, other Actes, Lawes, or conſtitutions, which may appeare to derogate to the ſame, or that may or can bee extended, or bee interprete in the contrarie thereof, either ſpeciall or generall. AND FURTHER declares, that this generall Ratification ſhall bee as effectuall, as if all and ſundry the ſayd Jnfeftments, Giftes, Donations, Actes, Priviledges, Immunities, prerogatiues, and others foreſaydes, were at length herein expreſſed, named, and numbred. Anent the which His Maieſtie, with advice and conſent of the ESTATES, haue diſpenſed, and diſpenſe, by theſe preſents: Reſerving alwayes the Landes, and others, aſſigned for the entertayment of the Caſtle of DUMBARTANE, to bee applyed to that uſe, untill ſome other proviſion bee made thereto, in place of the ſame.

ACT. V.

Anent the Plantation of Kirkes, as yet vnplanted.

OUR SOVERAIGNE LORD, vnderſtanding, that there bee divers Kirkes within this Kingdome, which by the late Commiſſion appoynted for plantation of Kirkes, in the Parliament holden in Iunij 1617. were not ſetled nor provided with conſtant Stipendes: But which yet remaine diſfurniſhed, and vnprovided of competent meanes to be given to the Miniſters, who ſhal be provided to the charge and function of the cure of the ſame. AND THEREWITH alſo His Maieſtie conſidering, That there haue been heretofore ſundrie Kirkes vnited together, and conioyned in one: albeit vpon good conſiderations, it may bee found more expedient, That the ſame union bee diſſolved, and that the ſayd Kirkes bee provided ſeverally, with diſtinct Functions, and ſeparate ſervices, at ſuch places where the commoditie may affoorde, in the ſame manner as if no ſuch union had beene made. And ſuch like, becauſe there bee ſome Kirkes, whereof the Parochine is of ſo large boundes, that many of the Parochiners, dwelling in rowmes of the Pa-

Irochine ſo remote from the Kirke: who for the great diſtance of the place, or for the interjecting of Waters betwixt their rowmes and the Kirkes; which oftentimes, and eſpecially in Winter, are not paſſable, or for ſome ſuch other knowne impediment, cannot haue acceſſe and repaire to the Paroche Kirkes at the ordinarie times appointed for Divine Service and Worſhip, and enjoy the comfort of the Exerciſe thereof. AND OUR SOVERAIGNE LORD, according to the Princelie and Godly Indewments, wherewith His Majeſtie is ſingularlie bleſſed, being moſt carefull to eſtabliſh all good, and propagate the Religious and true worſhippe of GOD, vniverſally throughout all this whole Kingdome: Where thorow all His People may haue occaſion to participate the benefite of the Worde, without feeling of any of theſe Prejudices, growing from the aboue-written occaſions: Which His Maieſtie, in his Royall and Fatherly care over his People, is moſt deſirous to haue removed: THEREFORE, His Maieſtie, with expreſſe advice, and conſent of the ESTATES of Parliament, Hath graunted full power and Commiſſion, to the Lord Chaunceller for the time: AND to the reverend Fathers in GOD, John, Arch-biſhoppe of Sainct-Andrewes: James, Arch-biſhop of Glaſgow: Alexander, Biſhop of Dunkell: Adam, Biſhop of Dumblane: Andro, biſhop of Galloway: John, Biſhop of Caitneſſe: Sixe perſons nominate for the Clergie, and Prelates. And in caſe of deceaſſe of any of them, to Patricke, biſhop of Roſſe: and Patricke, biſhop of Aberdene. Which two perſons the ESTATES haue nominated, to ſupply, and become, in the place of any of the other ſixe aforeſayd, if any of them ſhall happen to deceaſſe before this Commiſſion bee finiſhed. TO WIT, The firſt of the two, in place of the firſt of the ſixt deceaſing: To John, Earle of Winton: Robert, Earle of Lowthiane: Thomas, Earle of Melroſſe: John, Vicount of Landerdaile: Iohn, Lord Belmerino: David, Lord Carnagie: Sixe perſons nominate for the Nobilitie. And in caſe of any of their deceaſſe, To John, Earle of Wigton, nominate to become in the place of the firſt deceaſſing: And Walter, Earle of Buckcleuch, nominate to become in the place of the ſecond. To the Commiſſioners vnder-written, nominate for the Barrons: To wit, Sir Richard Cockburne of Clerkington, Knight, Lord Privie Seale: Sir William Levingſtoun of Kilſythe, Knight: Sir Iames Dondas, of Arneiſtoun, Knight: Sir Archebald Napier of Merchingſtoun, Knight: Sir Andro Ker, of Phairniehirſt: Alexander Lauder of Haltoune. And in caſe any of their deceaſſe, To David Crichtoun, of Lugtoun: and Sir Iohn Hammiltoun of Preſtoun, Perſons nominate, to become in order, as they are named, in place of any of the ſixe deceaſſing. And to Iohn Byres, burgeſſe of Edinburgh: Maſter William Fergusſone, burgeſſe of Dondie: Andro Bell, burgeſſe of Linlithgow: Robert Taylor, burgeſſe of Sainct-Andrewes: Maiſter Iames Cockburne, burgeſſe of Hadingtoun: and Sir George Bruce of Carnock, Knight, burgeſſe of Culros: Sixe perſons nominate for the Burrowes. And in caſe of any of their deceaſe: To Alexander Clerke, Merchant, burgeſſe of Edinburgh: and Maſter Alexander Wedderburne, Clerke of Dondie: perſons nominate, to ſupplie in order, any of the other ſixe Commiſſioners foreſayd deceaſſing. WHICH foreſayd Commiſſioners, or any foure of each Eſtate nominate, as ſayd is, conſenting

and

and agreeing in one voyce, ſhall haue power to conſult, conveine, and determine, upon the matters, and in manner vnder-written: Providing alwayes, That there is, and ſhall be requiſite to the validitie of any Act, Concluſion, Ordinance, and Determination of the ſayd Commiſſioners, The conjunct aſſent of foure of every one of the ſayd foure Eſtates, all agreeing together in voyce. Without the which conſent of the ſayd foure of every Eſtate ſo agreeing, The reſt of the ſayd Commiſſioners ſhall haue no power to make any valide, or effectuall concluſion, by vertue of this preſent Commiſſion: But whatſoeuer ſhall be otherwayes done, is declared to be of none availe, force, nor effect.

THAT IS TO SAY, Our Soveraine Lord, and Eſtates of Parliament, by the Tennor hereof giues, grauntes, and commites, full power and authoritie to the ſayd Commiſſioners, to meete, and conveine, in the Towne of Edinburgh, at ſuch time, and times, as they ſhall appoint, and finde convenient: And there-to call, and ſummonde before them, all Patrones, Tackeſ-men of Teyndes, great and ſmall, and others, having Right, by whatſoever Title to the Teyndes of any of the Kirkes within this Kingdome, which are not already planted by the foreſayde firſt Commiſſion: and which ſhall any wayes bee medled with by this preſent Commiſſion, as they ſhall thinke neceſſarie, and expedient, To exhibite, and produce before them, their Rightes and Titles, whereby they claime the ſayde Teyndes, to bee ſeene, and conſidered, by the ſayd Commiſſioners: With power unto them, out of the ſayde Teyndes, of every Parochine and Kirke, not already planted: To appoint and aſſigne, at their diſcretions, a perpetuall locall Stypend to the Miniſters preſent, and to come, at all the ſayd Kirkes, unprovided, as ſayd is: AND that notwithſtanding any Right or Title pretended by the ſayd Tackeſ-men, or others, in whoſe Favoures Teyndes haue beene erected: With power alſo, to the ſayd Commiſſioners, to diſ-unite ſuch Kirkes, one or moe, as were united of before, and appoynted to bee ſerved by one Miniſter. And as they upon good conſiderations ſhall finde requiſite to appoynt the ſame to bee ſerved by ſeverall functions, and charges, as diſtinct Parochines, after ſuch manner as ſhall bee found by them moſt expedient. Providing alwayes, That all parties having intereſſe in the union, and diſ-uniting of the ſayd Kirkes, and plantation thereof, giue their expreſſe warrand and conſent thereunto.

IN the which caſe of Plantation, and proviſion of the Kirkes which ſhall be diſ-ioyned, as ſayd is, the preſentation of the Miniſters ſhall bee appoynted by the ſayd Commiſſioners, to pertaine to the Patrones, conforme to their right thereof, to bee produced before them. And as the ſayd Lordes Commiſſioners ſhall finde moſt agreable with reaſon and equitie. With power likewiſe to the ſayd Commiſſioners to appoynt and ſet downe ſuch ſolide order, for erecting and building of new Kirkes, in any Parochines, where they ſhall finde neceſſitie, and conveniencie to doe the ſame, and where the Parochiners are not preſently well and commodiouſly ſerved at the preſent Kirkes of the Parochine, as they ſhall finde moſt expedient. And the ſayd Kirkes beiug erected, with power to the ſayd Commiſſioners, to provide the ſame with ſuch proportion of Stypendes, as they ſhall finde may be with leaſt preiudice, and beſt commoditie, made out of the fruites of the ſayd Parochines, to

the Miniſters, to be appointed to ſerue at the ſayd new builded Kirkes; To the which building and making of new Kirks, & providing of the ſame with competent Stipends, The ſayd Eſtates findes and declares, that it ſhall be expreſly neceſſarie, that the Patrones, Tackeſ-men, and other parties, having Intereſſe in the Erection and building of the ſayde new Kirkes, and in the planting and proviſion thereof foreſayd, giue their expreſſe warrand and conſent there-unto. Which being ſo had, and obtained, With power to the ſayd Commiſſioners, to proceede therein as is moſt agreeable with reaſon.

IT IS alwayes declared, that in all, and everie one of the caſes aboue-written: that is to ſay, Eyther in providing of Kirkes not planted of before, or in diſ-uniting of kirkes formerly ioyned: and appointing of ſeverall and diſtinct Stipends to the ſame: Or in the Erecting of new kirkes, and proviſion of them, with Miniſters, and ſtipends. The ſayd Commiſſioners ſhall haue expreſſe power and warrande, to determine, and appoint ſuch proportion and quantitie as they ſhall finde expedient, eyther amounting over the ſumme of fiue hundreth Markes, or beneath, and under the ſame, as they ſhall finde may moſt conveniently and commodiouſly be had: after the conſideration of the quantity and eſtate of the fruits of the Kirke, and the caſe wherein the ſame is: and as may be with leaſt preiudice ſpared out of the ſame. AND the ſayd ESTATES findes and declares, That the ſayd Commiſſioners ſhall haue no power, by vertue of this Commiſſion, to alter, or meddle with any Kirke which was ſetled by vertue of the foreſayd Commiſſion, graunted in Anno *1617*: yeares: Or to change the eſtate thereof in any wayes: Or yet to erect, builde, or provide any new Kirke without the ſpeciall and expreſſe conſent of all parties, having Intereſſe, had, and obtayned there-unto: Without whoſe conſents, it ſhall not bee lawfull for the ſayd Commiſſioners, in any wayes, to touch the ſayd Kirkes ſo provided. But the ſame are expreſly excepted (Except in caſe of conſent foreſayd) out of this preſent Commiſſion.

AND ALSO, Foraſmuch as the ſayde ESTATES of Parliament, conſidering the particular Petitions and Supplications after ſpecified, given in to them by the perſons under-written, to the effect following: To wit, A petition given in, by Thomas Burnet of Leyes, Deſiring a new Kirke to bee erected, and builded, within the Parochine of Fettereſſo, upon any part within the ſame Parochine, moſt eweſt for the inſtruction of the Parochiners of Fettereſſo, who dwell moſt remote from the preſent Kirke thereof. Item, a Supplication given in by the Gentlemen and Parochiners of the Parochine of Roiſnethe; Deſiring that the Kirke of Roiſnethe, for the cauſes ſpecified in their Supplication, founded upon the incommodious ſituation of the ſayd Kirke, might be tranſported out of the Yle of Roiſnethe, where it preſently ſtandeth, to that part of the mayne Land of the ſayd Parochine, called the Landes of Ardinconnell, as place moſt convenient, and indifferent for the whole Parochiners to reſort vnto. Item, a Petition given in, by John, Earle of Wigton, Lord Flemming, and Cumbernauld, and remanent Parochiners of the Parochine of Leinzie: craving licence to tranſport, found, build, and erect, the Kirke of the ſayd Parochine of Leinzie, preſently ſtanding at the Weſt end of the Parochine thereof; to any other part of the

ſame

ſame Parochine, neare the middeſt thereof, moſt convenient for the eaſe of the whole Parochiners: And being builded, to bee declared to be the onely *Kirke* of the ſayd Parochine of Leinzie. Item, two Warrandes given in, under His HIGHNESS Hand, concerning the appointing and determinating, which of the two *Kirkes* of Larbaire and Donypace formerly united, ſhould bee toe ordinarie place of pnblicke Divine Service of the ſayd two Parochines, As in the ſame two Patentes contayning their owne ſeverall deſires at more length is contayned. Item, a petition given in, by the parochiners of the parochines of *Kilcharrane*, *Kilmichaell*, and *Kilchuſlane*, united by the former Commiſſion: and of the parochines of *Kilcolmkill*, and *Kilblane*, alſo united by the ſame Commiſſion: all lying within *Kintyre*: Deſiring libertie for building and erecting of a *Kirke* for ſerving of the firſt three parochines, with another *Kirke* for ſerving of the two laſt parochines, both united as ſayd *is*. Item, a Supplication given in, by John, Lord Hay, of Zeſter, and the poſſeſſours of the landes of Rodonno: Deſiring, that the ſame landes of Rodonno, with the pertinents, ſhould bee declared to haue been, and to be in time comming, a part of the parochine of Lyns, as alſo craving, that it might be lawfull to the ſayd John, Lord Hay, of Zeſter, to build a *Kirke* upon the moſt commodious place of his landes of Rodonno, or Meggett, for ſerving of the Inhabitantes thereof, at ſuch times as they ſhould be impeded by ſtorme of weather, from comming to the *Kirke* of Lyns. Item, a ſupplication given in, to the ſayd ESTATES, Deſiring, that the diſſolution of the fourty pound land of Buchanane, from the Kirke of Luſſe, and union thereof, to the *Kirke* and parochine of Inſchcalzieoche, done by the former Commiſſion, might be now ratified: and the ſame fourty pound land, declared to remaine in time comming, as part of the parochine of Inſchcalzieoche. Item, a petition given in, by Patricke, Biſhoppe of Aberdene, Deſiring the ESTATES, to give power to the foreſayd Commiſſioners, to ratifie and approve the voluntarie Diſſolutions of the former unions of theſe *Kirkes* within his Diocie, to the ſeverall proviſions, whereof the parties having Intereſſe thereintill, haue conſented, and to admit theſe who make offer at the ſight of the Biſhop and Presbyterie, where the *Kirkes* lye, To provide the ſame ſeverally, Albeit they ſhall not make out the full rate and ſtipend appoynted by the laſt Commiſſion. And laſt, a petition given in, by the Miniſter at the *Kirke* called Chriſts *Kirke*, at Ildney: craving the ſame *Kirke* to be ſufficiently planted, and provided, with a conſtant and locall ſtipend, and the ſame made ſure to the Miniſter ſerving the cure at the ſayd *Kirke*, as the foreſayd Supplications, Petitions, and Patents [*reſpective*] aboue-written, in themſelves more fully proports.

AND Finding the Deſires foreſayd reaſonable, Our ſayd Soveraine LORD, and ESTATES of Parliament, Giues, Graunts, and commits, full power and authoritie to the ſayd Commiſſioners, to appoynt, determine, and ſet downe, ſuch ſolid Order anent the whole particulars aboue-mentioned, and every one of them, as they after conſideration and tryall had, and taken, by them there-anent, ſhall finde moſt expedient, and agreeable with reaſon. To the doing whereof, in every one of the particulars foreſayd, (Except anent the building

of a new Kirke within the Parochine of Fettereſſo, as is deſired by the Laird of Leyes) THE ESTATES Findes, and Declares, That it ſhall be onely neceſſarie to ſummonde all Patrones, Tackeſ-men, and other parties whatſoever, having Intereſſe in the particulars foreſayd, to heare, and ſee order taken in the premiſſes thereanent: That after citation, the Commiſſioners may conſider of the Intereſſe and preiudice, if any ſhall bee qualified by any perſon before them, anent the particulars aboue-mentioned: and may then proceede therein, as they ſhall finde moſt expedient. But the ESTATES findes, and declares, That in the ſetling and determination of the firſt particular aboue-mentioned, anent the building of a new Kirke within the Parochine of Fettereſſo, There ſhall bee expreſly requiſite, the ſpeciall and expreſſe conſent and warrand of the parties, having Intereſſe there-intill: By, and beſide the citation and ſummonding of them to that effect: AND findes, and declares, That the Decreete and Sentence of the ſayd Commiſſioners, to bee given by them in all the particulars foreſayd, and every one of them ſhall haue the ſtrength, force, and authoritie of a Sentence, and Act of Parliament, ſuch like as the ſame had been done, and determined by the ſayd Eſtates themſelves.

AND Becauſe Reaſon and Equitie craveth, That recompenſe ſhould bee made unto the Tackeſ-men, and other perſons whatſoever, who ſhall bee by the ſentence of the ſayd Commiſſioners, hurt and preiudged of their preſent profite, which they may lawfully bruike, by vertue of their Titles and Rights, eſtabliſhed in their perſons: and upon whom, by vertue of the ſayde Sentence, any Burthen of the Suſtentation and proviſion of the ſayd Kirkes and Miniſters is to be impoſed: THEREFORE, Our Soveraine LORD, and ESTATES of Parliament, Giues full power, and commiſſion, to the ſayd Commiſſioners, ſo to proceede in the determining of the ſayd recompenſe, that in caſe the Lord, or any other, having right to erected Prelacies, who ſhall bee cited before them, refuſe to take the Burthen of plantation of any Kirkes belonging to the ſayd erected Prelacies, which are in any of the caſes aboue-written: And that vpon their refuſal, (The ſame refuſall being firſt found reaſonable by the ſayde Commiſſioners) the burthen of the ſayde plantation ſhall be layd and impoſed by the ſayd Commiſſioners, in whole or in part, eyther upon the principall Tackeſ-men of any of the fruites of the ſayd Kirkes: Or in caſe of the Tackeſ-mens refuſall, the burthen bee impoſed upon the Sub-Tackeſ-men thereof: The ſayd Commiſſioners ſhall haue power to decerne, appoynt, and ordaine, ſuch particular recompenſe to be giuen unto the ſayd Tackeſ-men, or Sub-Tackeſ-men, by reniewing of their Tackes, or Sub-Tackes, after the expyring thereof, upon ſuch conditions, as the ſayd Commiſſioners ſhall finde reaſonable. Reſpect being had to the qualitie and proportion of the burthen to be impoſed upon them, within the time of their Tackes and Rights, farther than they are aſtricted by their ſayd rights: or by appointing ſuch other reaſonable ſatisfaction, as they ſhall finde the ſayd burthen and diſtreſſe under-gone by any of them, ſhall deſerue, and require.

LIKE AS the ſayd Commiſſioners ſhall haue ſuch like power to determine, decerne, and appoint ſuch particular ſatisfaction, and recompenſe,

penſe, to bee given eyther to the Laicke-patrones, or to the Tackeſ-men of the Fruites of the Kirkes, belonging to the like patronages and Sub-Tackeſ-men thereof, as they ſhall thinke may bee anſwerable to the burthen to be impoſed upon eyther of them, for the cauſe aboue-written proportionally. IN THE preſcribing of the which recompenſe, The ſayde Commiſſioners ſhall haue ſpeciall reſpect, what conſideration they finde reaſonable to bee giuen to the ſayd Patrones, for their conſentes to the Tackes, if any ſhall bee appoynted, and decerned to bee ſette, and given vnto the ſayde Tackeſ-men, for recompenſe foreſayd. AND if any beneficed perſon, upon iuſt and reaſonable cauſes, refuſe to provide any Kirke belonging to their benefice, according to the order hereby preſcribed, whereby the burthen of plantation, or farther proviſion for the Kirke, muſt neceſſarily lye upon the Tackeſ-men, or Sub-Tackeſ-men of the fruites thereof: The ſayde Commiſſioners, in that caſe alſo, ſhall decerne ſuch recompenſe to bee given to the ſayde Tackeſ-men, and Sub-Tackeſ-men, for their loſſe and preiudice ſuſtained, as the ſayd Commiſſioners ſhall finde the ſame ſhall merite, by renewing of Tackes vnto them, vpon ſuch conditions as may requite their loſſe: Or by finding out ſome other reaſonable meane, which may repayre the ſame.

AND OUR ſayde Soveraine LORD, with adviſe and conſent of the ſayd ESTATES, Declares, ſtatutes, and ordaines, that all Tackes, which ſhall bee decerned by the ſayd Commiſſioners, to bee given in recompenſe to any perſon whatſoever, for the cauſes aboue-written: and which ſhall bee ſet for obedience, and conforme to the ſayde Decreete, and ſentence, whatſoever yeares, or long ſpace the ſayd Tackes ſhall comprehende, ſhall bee good, lawfull, and ſufficient ſecurities, to the perſons in whoſe favours the ſame are appoynted to bee given, and conceaved. Neyther ſhall the ſame bee any wayes preiudged, by the Act made in the Parliament holden in Anno 1617. By the which it is ſtatuted, THAT no Arch-biſhop, Biſhop, or Prelate, ſhould ſette in Tacke any part of their patrimonie, for longer ſpace nor nineteene yeares: AND, That no inferiour beneficed perſons ſhall ſette in Tacke any part of their Benefice for longer ſpace nor their owne life times, and fiue yeares there-after, as the ſayd ſtatute proports: From the which ſtatute the ſayde Tackes ſo appoynted to bee ſet, and given in recompenſe, are, and ſhall bee excepted, and reſerved, and ſhall no wayes come under the compaſſe of the ſame Act and ſtatute, nor in any thing therein contained. But the ſame ſhall remaine, and abide, valide, and ſufficient rights, for the whole ſpace and yeares appoynted therein, according to the Tennor thereof: notwithſtanding of the ſayde Act and Statute. And becauſe it may fall foorth, That in the recompence to bee appoynted, by the ſayd Commiſſioners, to the Patrones, Tackeſ-men, and Sub-Tackeſ-men, for the aforeſayd burthen to bee impoſed upon them, Moe yeares may bee aſſigned for prorogation of their preſent Tackes, nor may lawfully, or conveniently be ſet, by the preſent beneficed perſons, to whom by Law the ſetting of Tacks of Teynds belongs.

FOR REMEID Thereof, Our Soveraine LORD, with adviſe and conſent of the ſayd ESTATES, Declares, Statutes, and Ordaynes,

daynes, that it ſhall bee lawfull for the Commiſſioners foreſayd, to appoynt as many yeares after the expyring of the preſent Tackes, to the Tackeſ-men of the ſayde Kirkes, and Teyndes: Or to the patrones or Sub-Tackeſ-men (*reſpective*) for bruicking of the ſayde Teyndes, for recompenſe of the ſayde burthen, as they ſhall thinke reaſonable: Which ſhall bee as good, valide, and ſufficient Rights, to the ſayde Patrones, Tackeſ-men, or Sub-Tackeſmen. (*reſpective*) and vnto their Heyres and Aſſignes, for bruicking, poſſeſſing, and diſponing on the ſayde Teyndes, during the ſayde yeares of prorogation: As if good, lawfull, and valide Tackes and Rights of the ſayde Teyndes had beene ſette, and made to them, by the Titulares of the Benefices, to whom the ſame belonged: With conſent of all parties having Intereſſe: WITH expreſſe proviſion and declaration, That at the expyring of all the ſayde yeares, the right of the ſayde Teyndes, and power to ſette Tackes thereof, ſhall returne, and appertaine to the aforeſayde Titulares of the foreſayde Benefices, as they did before the making of this preſent Act. AND OUR SAYD SOVERAINE LORD, with adviſe of the ESTATES, Declares, and Ordaines this preſent Commiſſion to beginne upon the tenth day of Januarie, next to come: with continuation of dayes: and to laſt and endure, during the ſpace of yeare and day thereafter. After the which time, the ſame ſhall ceaſe and expire: And ordaines the Decreete, and Sentence of the ſayde Commiſſioners, in all the particulars foreſayde, and everie one of them, to haue the ſtrength, force, and authoritie of a Decreete, Sentence, and Act of Parliament. For obedience whereof, the Lordes of Seſſion ſhall direct and grant Letters in forme as effeires, and according as ſhall bee neceſſarie. Which Commiſſion aboue-written, taking force, and full effect, in all the ſayde particulars therein contained, as the ſame are ſet downe, and comprehended therein, by pronunciation of decreete and ſentence vpon the ſame, conforme to the power therein comprehended, given unto the ſayd Commiſſioners.

OUR SOVERAINE LORD, with expreſſe conſent, and aſſent, of the ESTATES, in that caſe, findes, and declares, That no perſon, in whoſe favours the Teyndes of Kirkes, and Benefices, are erected: nor no other, whatſoever, bruicking Teyndes, by vertue of rights lawfully made to them of the ſame, according to the Lawes of this Realme then ſtanding, ſhall bee ever farther altered, or quarreled in any of their ſayde rights in any time to come, further then ſhall be appoynted by the ſayde decreet and ſentence to follow vpon this preſent Commiſſion. But the ſayd rights and ſecurities in caſe foreſayd, ſhall remaine in their owne ſtrength, force, and effect: as good, lawfull, and ſufficient rights, and ſecurities, unto them, and every one of them, for their owne parts, for bruicking and enioying of the ſayd Teyndes, conforme to the tennour of the ſayd rights, for now, and for ever.

ACT.

ACT. VI.

Act anent Compriſings.

OUR SOVERAINE LORD, and ESTATES of Parliament, conſidering that his Maieſties Lieges are greatly damnified, and prejudged, by the abuſe and evill cuſtome, which heretofore hath beene obſerved in Compriſings: whereby Lordſhips, Baronies, and other great portions of Landes are compriſed for ſmall ſummes of money: and thereby the compriſer hath right to the mailes, duties, and profites of the Landes: notwithſtanding that they farre exceede the profite of that ſumme of money for the which the ſayde Landes are compriſed. FOR remeide whereof, It is ſtatuted, and ordained, That the compriſer ſhall haue no further right to the mailes, fermes, and duties of the compriſed landes, by vertue of the compriſing ledde at his inſtance, during the yeares and ſpace that the ſame is redeemable, but onely to ſuch parte and quantitie thereof as will correſponde to the Annuell-rent of the ſumme, at ten for the hundreth, for the which compriſing is ledde with this proviſion alwayes, and expreſſe declaration, That if the mailes and duties of compriſed landes exceede the proportion of the annuell-rent of the foreſayd ſummes, for the which the compriſing is deduced, and that the compriſer pleaſe to intromet therewith, and according thereunto, that he haue intromiſſion with the ſame, in that caſe his foreſayd further intromiſſion, which ſhall extend to any greater quantitie then will iuſtly ſatisfie him of the foreſayd annuell-rent, ſhall be aſcribed in payment and ſatisfaction of his principall ſummes, [*pro tanto.*]

LIKE AS THE ESTATES findes, and declares, That the ſame further intromiſſion ſhall bee aſcribed in that payment of the ſayd principall ſumme: So that if it ſhall happen, that the quantitie of the mailes and duties to bee intromitted with by the compriſer, to extend unto as much as will ſatisfie the whole principall ſummes, with the ordinarie annuell-rent thereof, according to ten for each hundreth, and the expenſes beſtowed by the Compriſer, in paſſing, and obtaining Inſeftment of the Superiour, of whom the Landes are holden: together with the annuell-rent of the ſayd ſummes, ſo given by the Compriſer to the Superiour, for entring of him to the compriſed lands, and the neceſſarie expenſes and charges waired and beſtowed by the ſayd Compriſer, in leading and deducing the ſayd compriſing, in that caſe, thereafter the compriſing to expyre [*ipſo facto*] and to ceaſe in all times following.

AND IF that the perſon againſt whom compriſing is led, be Minor, and of leſſer age, IT IS ſtatuted and ordained, That it ſhall bee lawfull to him at any time within his perfect age of twentie fiue yeares compleate, to redeeme the ſayd compriſed landes, by payment of the ſummes, for the which the ſayd compriſing was ledde, and of the lawfull annuell-rentes thereof, according to ten for each hundreth, Together with the expenſes beſtowed in paſſing and obtaining of the Inſeftment from the Superiour, and ordinarie annuell-rent of the ſame: together alſo, with the neceſſarie expenſes beſtowed in leading and deducing

of the ſayd compryſing, as is aboue-written. And that notwithſtanding of the preceeding Lawes, and Practique of this Kingdome, by the which the Legall reverſion of compriſed Landes, expired within ſeaven yeares after the leading of the compriſing: From the which His Maieſtie and Eſtates hath, by this preſent Act, and Statute, excepted Minors, in all times comming, declaring the ſame no wayes to runne againſt them. BUT IT IS Declared, that if a Minor redeeme not Landes compriſed, (the right of reverſion whereof is competent in his perſon) within ſeaven yeares after the leading of the ſayde compryſing, but according to the benefite granted vnto him by this preſent Act, ſuffer the compryſed Landes to remaine vnredeemed, with the compriſer, during all the yeares of his Minoritie, and leſſe age: then, and in that caſe, the compriſer ſhall haue good right, to meddle, and intromet, with the whole Mailes and Dueties of the compriſed Landes of all theſe yeares ſubſequent, after the expyring of the ſayd ſeaven yeares, and interveining betwixt them, and the ſayde yeares of his Maioritie, and perfect age of twentie fiue yeares compleate: Notwithſtanding that the dueties of the landes extende to more then will anſwere to the annuell-rent of the money, for the which the land is compriſed. And if it ſhall happen a Minor, having right to redeeme compriſed landes, as ſayd is, deceaſſe before hee bee of perfect age of twentie fiue yeares, and that another Minor bee Heyre, or ſucceede unto him in his right of reverſion, and title, competent to him, for the redemption of the ſayde compriſed landes: that Minor ſo ſucceeding in the rights, ſhall haue the ſame libertie and priviledge aboue-written, for redemption of the ſayd landes, ſuch like, and in the ſame manner, as if they had been compriſed from himſelfe, wherein he ſhall no wayes be preiudged by the yeares which ran after the compriſing, in the life time of that perſon Minor in whoſe right hee ſucceedeth, but that hee may ſuch like lawfully redeeme the ſame at any time before his Maioritie, as ſayd is.

AND IT IS Declared, That in caſe any Minor, having the right of the ſayde reverſion competent unto him, ſhall happen to decaſe after the expyring of ſeaven yeares out-runne, after the ſayde compriſing, and that a perſon of perfect yeares ſucceede to the ſame Minor, in the right of his reverſion aforeſayde: in that caſe the ſayd perſon Maior ſo ſucceeding, ſhall bee holden and aſtricted to redeeme the ſayde compriſed Landes, within the ſpace of yeare and day after the deceaſſe of the ſayde Minor, in whoſe right hee ſucceedeth. Otherwayes, the ſayd redemption not being uſed by him within that ſpace, hee ſhall bee perpetually ſecluded from all benefite which hee may clayme by the reverſion and ſucceſſion thereunto foreſayde, and all power of redemption of the ſayde Landes, by vertue thereof. But if at the time of the Minors deceaſſe, all the ſayde ſeaven yeares were not expyred, It ſhall bee lawfull for his ſayde Succeſſor (being Maior) to redeeme, within the ſpace of ſo many of the ſayde ſeaven yeares, as were not out-runne the time of the Minors deceaſſe: ſuch like as if the ſayde Landes had beene compriſed from the ſayd Minor himſelfe. Which time being expyred, and hee doing no diligence, hee ſhall bee excluded from the benefite of his reverſion.

AND IT IS ſpecially provided, That in all the aboue-written caſes

caſes, if the compriſed Landes bee not worth ſuch yearly quantitie of Maile and Dutie, as will proportionally effeire to the Annuell-rent of the ſayd Money, as ten for every hundreth, for the which compriſing is ledde: or being worth that the ſame is exhauſted by other lawfull deeds: which may render the ſame unprofitable to the compriſer, and unanſwerable to the Annuell-rent of the ſummes, for the which he hath compriſed, either in whole, or in part: then, and in that caſe, the redeemer (whether he be Major, or Minor) ſhall be holden, before hee can redeeme, or out-quite the ſayd Landes, from the compriſer, to refound and pay to him, the full Annuell-rent and profite of the ſummes, for the which the landes were compriſed, ſo farre as hee wanteth, and inlacketh, by the benefite of his ſayde compriſing. And if the rent of the Land ſo compriſed, conſiſt in victuall, The eſtimation and conſideration thereof, ſhall bee had according to the common prices of Victuall in thoſe Shyres where the compriſed landes lye: according as the ſame giueth betwixt Zuile and Candlemeſſe. AND the ſayd ESTATES Declares, That this aboue-written Statute ſhall no wayes extend, nor bee preiudiciall to compriſings, which are already preſcribed, before the date of this preſent Act.

ACT. VII.

Anent Adiudications.

OUR SOVERAINE LORD, AND ESTATES OF PARLIAMENT, Conſidering the great preiudice ſuſtained by diverſe and ſundry Creditours, by deceaſe of their Debtors: who being preveined by the diligence of their Concreditors, by obtayning of Sentences of Adiudication of their defunct Debtors, Lands, and Eſtate, In reſpect of the refuſall of the neareſt of Kin, to enter Heyres to them, are ſecluded from participation of any part of the landes and goods pertayning to their ſaid defunct debtors: they beeing common debtors to the ſayd whole Creditors, contrarie to all equitie and reaſon. FOR REMEID Whereof, It is Statuted, and Ordained, THAT All Adjudications to be obtayned by any perſon at any time hereafter, of any of their defunct debtors landes, and Eſtate whatſoever, with all rights and Infeftments following thereupon, ſhall bee redeemeable from the partie obtayner of the ſayd Sentences of Adjudication, their heyres and aſſignes at any time after the pronouncing of the ſame, AT the inſtance of any Concreditor of the ſayd defunct debtor, or of any Creditor of the ſayd perſon, who renounceth, To be heyre to his predeceſſors, who ſhall happen thereafter to obtayne decreete of Adjudication, againſt the appearing Heyres of the defunct debtor: And that within the ſpace of ſeaven yeares, next and immediately following the obtayning of the ſayd Sentences of Adiudication, by payment of the ſummes of money ſpecified in the ſayd Sentences: Together with the Annuell-rent of the ſame ſummes, according to ten for each hundreth thereof, during the time of the non-redemption of the ſame: and of the expenſes ſuſtayned by them in obtayning of the

ſayd Sentences, to be taxed, and modified, by the Lords of Counſell and Seſſion. By payment of the which ſummes, the ſayd Concreditor ſhall come in the place and right of the partie from whom hee redeemeth: And ſhall bruicke the ſame by vertue thereof, perpetually thereafter: Except it ſhall happen another Concreditor, who ſhall obtaine the like ſentence of Adjudication, to redeeme the ſame from him, within the ſpace aboue written. In the which caſe, it is declared, That the partie redeemer, in the ſecond, third, or fourth rowme, and ſo foorth, ſo long as there are any Concreditors, ſhall be obliſhed not onely to pay the ſummes contained in the Adjudication, obtayned at the inſtance of the partie from whom he redeemeth: But alſo the whole ſummes, which were payed by him unto the former Concreditors, for redemption of their Adjudications, with the Annuell-rent, and expenſes in manner aboue ſpecified.

IT IS alwayes declared, That if the partie from whom the ſayd Adjudications ſhall be redeemed, did up-lift the Fermes, and dueties of the lands, and others, contayned in the Adjudications: That then, and in that caſe, the partie redeemer ſhall not be holden to pay any annuell-rentes, or expenſes: but in ſo farre as the ſame annuell-rents, and expenſes, exceede, and are more, than the Mailes, Fermes, and dueties, intromett with by the partie from whom the ſame is redeemed. AND if the ſayde Mailes, Fermes, and Dueties, exceede both the annuell rent and expenſes, IT IS declared, That the ſuper-plus ſhall be allowed in the principall ſumme, by the ſight of the Lords of Counſell, Conſideration being had of the pryces of the Fermes, and Victuall, as the ſame were commonly ſold betwixt Zuile and Candlemeſſe, in the Shyreffdome where the lands lye. IT IS alwayes declared, That theſe preſents ſhall no wayes be extended to Decreetes, and Sentences of Adjudication already recovered.

AND ſuch like, it is declared, That in caſe any Minor, who hath renounced in his Minoritie, be reponed [*in integrum*] againſt the ſame renunciation: That then, and in that caſe, he ſhall haue place to redeeme, from the whole Creditours, by payment of the ſayd whole ſummes owing unto them, and whereupon they obtayned Adiudication in manner, and with the proviſions aboue ſpecified. And all the reſt of the Priviledges granted to Minors, in Compriſings, to be likewiſe granted in Adjudications: which are here holden as repeated.

ACT. VIII.

Anent the Extracts of Infeftments, paſt vpon Compriſings, foorth of the Privie Seale: where the ſame are not regiſtratd at the Great Seale.

OUR SOVERAINE LORD, and ESTATES of this preſent Parliament, Underſtanding that ſundrie His Maieſties Lieges, who for great ſummes haue compriſed their debtors landes, are heavilie prejudged, through the fraudfull abſtracting, or deſtroying of the Writtes, Infeftments, or Confirmations of the ſayde compriſed Landes: the ſayde

Writtes

Writtes, Infeftments, and Confirmations, not beeing regiſtred in the Regiſter of the Great Seale. HEEREFORE, whereas any Creditour hath compriſed landes, holden of His Maieſtie, and cannot recover foorth of the perſons hands, from whom the ſame are compriſed, the KINGES right, and confirmation of the ſame Infeftment, given vnto them therof, Leſt the negligence of the partie, not regiſtrating the Infeftment, or Confirmation, after the paſſing thereof at the Great Seale: Secunded with the ſubſequent fraude, in abſtracting and deſtroying the principall Right and Confirmation, ſhould unjuſtly indamnage the true Creditor, and Compriſer. HIS MAJESTIE, with and conſent of the ſayd ESTATES, willes, and declares, That if the ſayd Infeftments, and Confirmations of the ſayd perſons, from whom the ſayd lands are compriſed, haue paſt the Privie Seale, and be regiſtrated in the Regiſter thereof: That notwithſtanding the want of the Infeftment and confirmation under the Great Seale, or the Extract thereof: the Extract of the ſayd Infeftment, or Confirmation, foorth of the Regiſter of the Privie Seale: The ſame thereafter being paſt the Great Seale, at any time ſhall be a ſufficient right to the Compriſer, whereby to poſſeſſe and enjoy the landes compriſed: conforme to the Lawes made anent Compriſings: as freely in all reſpectes, as if the ſayd Infeftments and Confirmations were extant, and regiſtrated in the Regiſter of the Great Seale. Providing alwayes, That this preſent Act ſhall no wayes hurt nor prejudge any third perſon, who hath Infeftment or Confirmation of the ſayd compriſed lands, paſt the Great Seale of an anteriour date to the ſayd Infeftment, ſo paſt the Great Seale, in manner aforeſayd: but ſhall be onely of force and effect againſt that perſon, from whom the lands are compriſed, his Heyres, and ſucceſſours.

ACT. IX.

Anent giving of Licence to Biſhops to ſet their Warde Lands in Fiew Ferme.

OUR SOVERAINE LORD, and ESTATES of Parliament, Underſtanding, That a good number of Kirke landes, pertayning unto Biſhoprickes, and their Chaptours, are diſponed of olde to bee holden by Service of Warde, and Reliefe: Which forme of holding yeeldes no preſent nor conſtant rent and commoditie: but is onely a caſuality which vaketh not often: and when it vaketh, is gifted and diſponed by the preſent Titulars, to their owne particular uſe, without any benefite to their ſucceſſours. WHEREAS, if the ſayd Kirke Landes were ſette in Fiew Ferme for a competent yearely Duetie, the ſame would not onely augment, and meliorate the eſtate of the Benefice; but alſo diminiſh the occaſion of applying of Kirke rentes to particular uſes. AND HIS MAJESTIE, out of his Royall care, and Princely diſpoſition, intending the preſervation of the eſtate of the ſayd Biſhoprickes, and their Chaptours: and therefore beeing moſt earneſt to avoyde and remoue this evill: HIS MAJESTIE, and ESTATES, ſtatutes and ordaynes, That it ſhall bee lawfull for all Biſhoppes, and Members of Chaptours, who haue Lands holden of them by Service of Warde and

Reliefe, to ſet the ſame in Fiew Ferme, for payment of a competent Fiew Ferme dutie, and doubling the ſame at the entry of the heyre: Providing thrt the ſayd Fiew Ferme dutie be anſwerable to the retoured duetie of the lands: And where the lands haue not been retoured, that the retoure be ruled according to the cuſtome of retoures of landes in the countrey of the like valour, where the ſayd lands lye: And declares, That this preſent Statute ſhall remaine in full force and effect, for the ſpace of three yeares after the date hereof onely, and no longer, while farther order bee taken there-anent.

ACT. X.

Act declaring ſummes Graſſe, given to the Miniſters, for their Gleybes to bee Teynd-free.

OUR SOVERAINE LORD, And ESTATES of this preſent Parliament, conſidering in the fifth Parliament holden by his Maieſtie, upon the twentie fiue day of Julie, in Anno one thouſand, fiue hundreth, threeſcore, and eighteene yeares: Cap. 62. His Highneſſe, with adviſe and conſent of the ESTATES, Found, and declared, That the Miniſters and Readers ought and ſhould pay no Teynd for their Gleybss, and Kirke landes, extending to foure Ackers of Land, deſigned vnto them conforme to the Act of Parliament: But decerſted and declared them to hee free of their ſayd Teyndes, and diſcharged them [*Simpliciter*] thereof in all time comming. LIKE as in the Parliament holden at Perth, the ninth of Julie, in Anno one thouſand, ſixe hundreth, and ſixe yeares: Cap 7. It is ordayned, That there ſhall be deſigned to the Miniſters ſerving the cure at Kirkes, where there is no arrable land adjacent thereunto, the number of foure Summes Graſſe for every Acker, of foure Ackers of Gleybe, extending to ſixteen ſummes Graſſe, for the foure ackers of land, and that of the moſt commodious and beſt paſturage of any Kirke landes, lying next adjacent, and moſt eweſt to the Kirke: And ordained letters to be directed, for removing the poſſeſſours there-from: in ſuch like forme as againſt the poſſeſſours of Manſs and Gleybes. And in reſpect that the Miniſters Gleybes are Teynd-free, and that by conſequence the ſummes Graſſe aboue mentioned, deſigned in ſteade thereof, where no arrable land is adjacent unto Kirkes, ought likewiſe of all equitie and and reaſon to be Teynd-free, in reſpect the ſame is dedicated and appointed *adpios uſus*.

HEEREFORE, Our ſayd Soveraine LORD, with adviſe and conſent of the whole Eſtates of this preſent Parliament, by the tenour hereof, declares, That the Miniſters and Readers ought, and ſhould pay no Teynd for their ſummes Graſſe, deſigned unto them in place of their Gleybe, where no arrable landes are adjacent to Kirkes. And decernes and declares them to be free of their Teynds: and diſcharges them [*Simpliciter*] of all payment thereof, in all time comming.

ACT

ACT. XI.

Ratification and addition, to the Act of Parliament made anent Reſtitution of Chaptours.

OUR SOVERAINE LORD, and ESTATES of this preſent Parliament, ratifies, and approues the Act of Parliament made in the moneth of Junij, in the yeare of GOD one thouſande, ſixe hundreth, ſeaventeene yeares, anent reſtitution of Chaptours of Cathedrall Kirkes, in all the Heads, Clauſes, Exceptions, Limitations, and Reſtrictions thereof. And further, Ordaines, and declares, That all Deedes done ſince the date of the ſaid Act, or to bee done hereafter, whereby any member of any Cathedrall Kirke, being an Office or Dignitie, hath, or ſhall be ſuppreſt, or any Land, Parſonage, Vicarage, or other Living, belonging to the ſaid dignitie diſſolved from the ſame, without an expreſſe warrand from his Maieſtie, and conſent of Parliament: are, and ſhall bee. with all that haue followed, or ſhall follow thereupon, Null, and of no force, nor effect: and ſhall bee ſo founde in all time hereafter, by way of Action, exception, or replye. Providing alwayes the Marqueſſe of HAMILTON His right to the Parſonage of Hamilton and Dalſorffe: The Earle of MARRE His right to the Parſonage of Carnwoth: and any other Parſon having lawfull rights conforme to the Lawes of the countrey, before the Act of Parliament, in *Anno* one thouſand, ſixe hundreth, and ſeaventeene yeares, be no wayes hurt, or preiudged herein.

ACT. XII.

Anent Packing, and peyling.

FOR AS MUCH As by divers Actes of Parliament it is ſtatuted and ordained, That no perſon uſe Packing nor Peyling of Wooll, Hydes, nor Skinnes, loſſe nor layd out with Free Burrowes, and Priviledges of the ſame: Notwithſtanding whereof, divers ſtrangers, and other Jnhabitantes, within this Realme, doe continually reſort to the Yles, and other places thereabout, with their Shippes, Barkes, and Crears, and other Veſſels: and doe not onely packe and peyle Skinnes and Hydes; but alſo doe tranſport from thence Butter, Tallone, and other forbidden Goods, to the great contempt of the ſaid Lawes, and manifeſt defraud of our Soveraigne Lord his cuſtomes.

For remeide whereof, Our Soveraigne LORD, With adviſe and conſent of the ESTATES of this preſent Parliament, ſtatutes, and ordaines, that no ſtrangers, nor Jnhabitants within this Realme, take vpon hand to packe or peyle any Hydes or Skins in the ſaid places of the Yles, out-with the Free Burrowes: nor that they tranſport, take away, or carrie forth of this countrey, any Butter, Tallone, or other forbidden Goods, under paine of tinſell and confiſcation of the Hydes and Skinnes ſo packed and peyled by them: and of tinſell and confiſcation of the ſhippe, and whole goods that the owner of the ſayd forbidden goods hath within the ſame. AND ORDAINES The Shyreffes of the

Shyres and their Deputies, and Over-Lordes, of the Landes where the ſayde Skinnes and Hydes are packed, and peyled, or from whence the ſayde forbidden goods are tranſported, To put this preſent Act to execution, as they will anſwere unto his Maieſtie, upon their Office and Obedience.

ACT. XIII.

Anent the diſcharging of Protections:

UR SOVERAINE LORD, and ESTATES of Parliament, Underſtanding that there may ſundrye Protections bee ſought by Banckruptes, and others, who are addebted in great ſummes of money: whereby the execution due unto the Creditor, by the Lawes of the countrey, againſt the Debtor, may bee fruſtrate, To the great dammage of the Creditour. FOR REMEIDE Whereof, IT IS Statuted, and Ordained, That hereafter the Lordes of Seſſion ſhall grant no protection from any Execution due and competent againſt any man of the Law. AND Declares, That if any ſhall bee hereafter graunted, the graunter of the ſame ſhall bee ſubiect and lyable of the Law to the Creditor for the ſumme, from the which hee hath granted protection.

ACT. XIIII.

Anent playing at Cardes and Dyce, and Horſe-races.

UR SOVERAINE LORD, And ESTATES of Parliament, Conſidering the manifold evils and inconveniences, which enſue upon Carding and Dycing, and Horſe-races, which are now over-much frequented in this Countrey, to the great preiudice of the Lieges. And beeauſe honeſt men ought not to expect that any winning had at any of the games aboue-written, can doe them good, or proſper; HAUE, therefore, ſtatuted and ordained, That no man ſhall play at Cardes nor Dyce in any common-houſe, Towne, Hoſtelrie, or Cookes houſes, under the paine of fourtie pounds, money of this Realme: to be exacted of the keeper of the ſayd Innes, or common houſes, for the firſt fault: and loſſe of their liberties for the next. Moreover, That it ſhall not bee lawfull to play in any other private mans houſe, but where the Maſter of the family playeth himſelfe. And if it ſhall happen any man to winne any ſummes of money, at Carding or Dycing, attour the ſumme of an hundreth Markes, within the ſpace of twentie foure houres: or to gaine at Wagers upon Horſe-races, any ſumme attour the ſayd ſumme of an hundreth Markes; The ſuper-plus ſhall bee conſigned within twentie foure houres thereafter, in the handes of the Theſaurer for the Kirke, if it bee in Edinburgh: Or in the handes of ſuch of the Kirke Seſſion in the Countrey Parochines, as collectes and diſtributes money for the poore of the ſame. To bee imployed alwayes upon the poore of the Paroche, where ſuch winning ſhall happen to fall out. And to the effect,

ſect, that either exceſſe in play may bee thus reſtrained: Or at the leaſt, that exceſſiue winning may bee employed as ſayde is. OUR Soueraigne LORD, by Actes of his Supreame Court of Parliament, Giues full power, and commiſſion, to the baylies and Magiſtrates of Burrowes, the Shyreffes and Juſtices of Peace, in the Countrey, to purſue, and conueine all ſuch perſons, for all winning at Cardes, Dyce, and Horſe races, which ſhall happen to bee made by any perſon, by and attour the ſayde ſumme of an hundreth Markes, money aforeſayde. And in caſe the Magiſtrate informed thereof refuſe to purſue for the ſame, The partie informer ſhall haue action againſt the ſayd Magiſtrate, for double the like ſumme: The one halfe whereof to bee giuen to the poore, and the other halfe to the partie informer,

ACT. XV.

Act declaring all Tacks ſet for longer ſpace nor three yeares, without conſent of the Patron, being perſons vnder the degree of Prelates, ſince 1594. *to be Null.*

OUR SOVERAIGNE LORD, and the ESTATES of this preſent Parliament, Underſtanding, That diuerſe beneficed perſons, under the degree of Prealtes, haue taken occaſion vpon an Act made in our late Parliament, holden at Edinburgh, the twentie eight day of Junii, one thouſand, ſixe hundreth, and ſeaventeene yeares, Intituled, Anent the ſetting of Tackes by Prelates, and other beneficed perſons: To ſette Tackes and Aſſedations of Landes and Teyndes of their ſayde Benefices, or ſome partes and portions thereof, vnto diuerſe and ſundry perſons, for the ſayde beneficed perſon his life time: and for the ſpace of fiue yeares after his deceaſſe: without conſent of the Patrone. Albeit the ſayde Act of Parliament giueth no ſuch libertie to anie beneficed perſons, vnder the degree of a Prelate, to ſette ſuch Tackes. But onely declareth, for what ſpaces a Biſhop or other Prelate, may ſette: and for what ſpaces a beneficed man, vnder the degree of a Prelate, may ſet. Which was done by the ESTATES, to reſtrict the vnbounded libertie vſed in ſetting of Tackes for many life-rents, and nineteene yeares. And the ſayde declaration no wayes taketh away the lawfull ſolemnities, requited to the ſetting of the ſayde Tackes, either by conſent of the Chaptour, or Patrone. Which ſtill remaineth in the owne force, vnderogate. Otherwayes, it ſhould bee lawfull for a Prelate to ſette Tckes for nineteene yeares, without conſent of the Chaptour: which is altogether abſurd.

And ſeeing by an expreſſe Act, made in our Soveraigne Lordes fourteenth Parliament, holden at Edinburgh, the eight day of Junii, 1594. IT IS found, and declared, That no beneficed man, vnder a Prelate, within this Realme, may in time thereafter, ſet longer Tackes of Teyndes, or other pertinents of their Benefice, without conſent of their Patrones, but for the ſpace of three yeares onely. Which Act ſtandeth in full

force, ſtrength, and effect: and is no wayes annulled, nor taken away, by the ſayd poſterior Act aboue ſpecified.

THEREFORE, His Majeſtie and Eſtates foreſayd, for eſchewing of all controverſie that may ariſe vpon the ſayd laſt Act, Declares, That the ſayd laſt Act makes no derogation unto the ſayd firſt Act: And that all Tackes ſet by beneficed perſons vnder the degree of Prelates, ſince the ſayd eigtht day of Iunij, 1594. of any part of their ſayd benefices, longer then for the ſayd ſpace of three yeares, without conſent of their patrones, are null, and of none avayle, conforme vnto the ſayd firſt Act aboue ſpecified.

ACT. XVI.

Anent Mettes and Meaſures.

OUR SOVERAINE LORD, and ESTATES of Parliament, conſidering, That by the Act of Parliament holden in Iunij, 1617. there was a Commiſſion granted unto certaine perſons therein nominate, for appoynting and eſtabliſhing a conſtant Mette and Meaſure, for buying and ſelling of Victuall within this Realme. Which Commiſſioners gaue out their ſentence and determination, declaring the Meaſure and Furlot of Linlithgow, to bee the juſt and onely Furlot, which ſhould bee vſed by all his Maieſties Lieges, in buying and ſelling of Victuall. Notwithſtanding whereof, there are many and great abuſes committed in this kingdome, contrarie to the ſayd Act and determination of the ſayd Commiſſioners: To the preiudice of His Maieſties Lieges.

FOR remeide whereof, His Maieſtie, and Eſtates foreſayd, haue ratified, and approved: and by the tennor hereof, ratifies, approues, and confirmes, the Act and Statute [*reſpective*] aboue written, in the whole Heads and Conditions of the ſame: after the forme and tennour thereof. And commaunds, and charges, all his Maieſties Lieges, and ſubiectes, To acknowledge, imbrace, obey, and obſerue the ſame Act and ſtatute, [*reſpective*] in the whole heads and conditions of the ſame, in forme and manner ſpecially and particularly mentioned and ſet downe thereintill, after the formes and tenoures thereof, vnder all higheſt paine, charge, and offence, which they may incurre, through their diſobedience, and as they will be anſwerable thereanent.

ACT. XVII.

Anent the diſcharging of a Peck to the Bow.

OUR SOVERAINE LORD, and ESTATES of Parliament, Underſtanding of the fraude, and frequent abuſe, committed by many of His Maieſties ſubiectes, Buyers and Blockers of Victuall: who knowing that there are conſtant and ſetled meaſures, lawfully eſtabliſhed, by the Lawes and ſtatutes of this Kingdome: By the which all ſortes of Victuall univerſally ought to be bought and ſold, according to the quantitie appointed by the ſayd mettes, without adding

ding of any quantitie to the ſame, or diminiſhing there-from. Yet not the leſſe, when they make their bargaines and conditions anent the buying of any particular quantitie of Victuall, they by their vndirect dealing, many times cauſe the Seller agree to ſuper-adde, and deliver vnto them, by and attour the true quantitie which is bought and ſold at the pryces conveined vpon, ſome certaine farder quantitie of Victuall, leſſe or more, as they may beſt moue the ſeller to condiſcend to, and for the which they are not ſubiect in payment of any price, to the great preiudice of the Liges and the manifeſt abuſe and eluſion of the Law.

FOR REMEIDE Whereof, It is ſtatuted and ordained, That it ſhall not be lawfull for any of his maieſties ſubiectes, to blocke, or agree, vpon the price of Victuall, more or leſſe, except they firſt agree and condiſcend vpon the price of the firſt boll of the bargaine: which being ſo agreed vpon, the ſaid price ſhall rule the whole quantitie of the reſt of the bolles to be received by the buyer, who ſhall haue no eik, or addition of any further quantitie, except vpon the payment of that ſame price, as is conditioned for the ſaid firſt boll: And if any perſon contraveine this preſent Act, hee ſhall pay the ſumme of Fourtie ſhillings for everie boll of Victuall received by him contrarie to the tenour of this Act: and that by and beſide the prices of the victuall: the halfe of the ſaid ſumme to his Maieſtie and his Theſaurer, and the other halfe thereof to the partie delator of the ſame.

ACT. XVIII.

A Ratification of the Act of the Lords of Counſell and Seſſion, made in Julie 1620. *againſt vnlawfull Diſpoſitions and Alienations, made by Dyvours and Banck-rupts.*

OUR SOVERAINE LORD, with adviſe and conſent of the ESTATES, convened in this preſent Parliament, ratifies, approues, and for his Highneſſe, and His Succeſſours, perpetually confirmes the Act of the Lords of Counſell and Seſſion, made againſt Dyvours and banckrupts, at Edinburgh, the 12. daye of Julie, 1620. and ordaines the ſame to haue, and take full effect, and execution, as a neceſſarie and profitable Law, for the weale of all his Highneſſe Subiectes, Of the which Act the tenor followeth.

THE LORDES Of Counſell and Seſſion vnderſtanding, by the grievous and iuſt complaints of many of his maieſties good ſubiectes, that the fraude, malice, and falſhood of a number of Divours and bankrupts, is become ſo frequent, and avowed, and hath already taken ſuch progreſſe, to the over-throw of many honeſt mens fortunes, and eſtates, that it is likely to diſſolue truſt, commerce, and faithfull dealing amongſt

Subiectes: Whereupon muſt enſue the ruine of the whole Eſtate, if the godleſſe deceites of thoſe bee not prevented, and remedied; who by their apparent Wealth in Landes and Goodes, and by their ſhowe of Conſcience, Credite, and Honeſtie; drawing into their hands upon truſt the Money, Merchandize, and Goods, of well-meaning and credulous perſons, doe no wayes intend to repay the ſame: but either to liue ryetouſly, by waſting of other mens ſubſtance: or to enrich themſelues, by that ſubtill ſtealth of true mens goods, and to withdraw themſelues, and their goods, foorth of this Realme, to elude all execution of Juſtice: And to that effect, and in manifeſt defraud of their Creditors, doe make ſimulate and fraudfull alienations, diſpoſitions, and other ſecurities, of their Landes, Reverſions, Teyndes, Goods, Actions, Debts, and others, belonging unto them, to their wiues, children, Kinſmen, alleyes, and other confident and interpoſed perſons: without any true, lawfull, or neceſſarie cauſe: and without any iuſt or true price interveining in their ſayd bargaines: Whereby their iuſt Creditors, and Cautioners, are falſly and godleſly defrauded of all payment of their iuſt debts: and many honeſt Families likely to come to utter ruine.

FOR remedie whereof, the ſayde LORDES, according to the power given unto them by His Maieſtie, and His moſt Noble Progenitors, to ſet downe Orders for adminiſtration of Juſtice: meaning to follow and practiſe the good and commendable Lawes, Civill and Canon, made againſt fraudfull alienations, in preiudice of creditors, and againſt the authors and partakers of ſuch fraude; Statutes, ordaines, and declares, That in all actions, and cauſes, depending, or to bee intended by any true creditor, for recoverie of his iuſt debt, or ſatisfaction of his lawfull action and right: They will, decreete, and decerne, all alienations, diſpoſitions, aſſignations, and tranſlations whatſoever, made by the debtor, of any of his landes, teyndes, reverſions, actions, debtes, or goods whatſoever, to any coniunct or confident perſon, without true, iuſt, and neceſſarie cauſes, and without a iuſt price really payed, the ſame beeing done after the contracting of lawfull debts from true creditors: To haue beene from the beginning, and to bee in all times comming, Null, and of none availe, force, nor effect: at the inſtance of the true and iuſt creditor, by way of action, exception, or reply: without further declarator. And in caſe any of His Maieſties good ſubiectes (no wayes partakers of the ſayde fraudes) haue lawfully purchaſed any of the ſayde Bankruptes landes, or goods, by true bargaines, for iuſt and competent pryces, or in ſatisfaction of their lawfull debts, from the interpoſed perſons, truſted by the ſayd dyvours. In that caſe, the right lawfully acquired by him who is no wayes partaker of the fraude, ſhall not be anulled in manner foreſayd. But the receiver of the pryce of the ſayde lands, goods, and others, from the buyer, ſhall be holden and obliſhed to make the ſame forth-comming to the behooue of the bankruptes true creditors, in payment of their lawfull debtes. And it ſhall bee ſufficient probation of the fraud intended againſt the creditors, if they, or any of them, ſhall bee able to verifie by writte, or by oath, of the partie receiver of any ſecuritie from the divour or bankrupt, that the ſame was made without any true, iuſt, and neceſſarie cauſe, or without any true and competent price: Or that the landes and goods of the dyvour and

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banckrupt beeing ſold by him who bought them from the ſayd dyvour, the whole, or the moſt part of the price thereof was converted, or to bee converted to the bankruptes profite and uſe. Providing alwayes, that ſo much of the ſayd landes and goodes, or prices thereof ſo truſted by bankrupts to interpoſed perſons, as hath beene really payd, or aſſigned by them to any of the bankruptes lawfull creditors, ſhall be allowed unto them, they making the reſt forth-comming to the remanent creditors, who want their due paymentes. And if in time comming any of the ſayde dyvours, or their interpoſed partakers of their fraude, ſhall make any voluntarie payment, or right, to any perſon, in defraude of the lawfull, and more timely diligence of another creditor, having ſerved Inhibition, or uſed horning, arreſtment, comprizing, or other lawfull meane, duely to affect the dyvours landes, or goods, or price thereof to his behooue. In that caſe the ſayd dyvour, or interpoſed perſon, ſhall bee holden to make the ſame forth-comming to the creditor, having uſed his firſt lawfull diligence: who ſhall likewiſe bee preferred to the concreditor, who being poſterior unto him in diligence, hath obtayned payment by partiall favour of the debtor, or of his interpoſed confident: and ſhall haue good action to recover from the ſayde creditor that which was voluntarily payed in defraude of the purſuers diligence.

Finally, THE LORDES declares all ſuch banckruptes, and dyvours, and all interpoſed perſons, for covering or executing their frauds, and all others, who ſhall giue counſell, and wilfull aſſiſtance unto the ſayd banckruptes, in the deviſing and practiſing of their ſayde fraudes, and godleſſe deceites, to the prejudice of their true creditors, ſhall bee reputed and holden diſhoneſt, falſe, and infamous perſons, incapable of all honours, dignities, benefices, and offices: Or to paſſe vpon Inqueſtes, or Aſſyſes: Or to beare witneſſe in Iudgement, or out-with in any times comming.

ACT. XIX.

Ratification of the Act of Counſell, anent the pryces of Writtes, Seales, &c. made 1606.

OUR SOVERAIGNE LORD, With adviſe and conſent of the ESTATES of Parliament, Having conſidered the Act and Ordinance of Secret Councell, made anent pryces, ſet downe to bee taken by all Writers, Clerkes, Keepers of Seales, and others, particularly expreſſed in the ſayde Act. Which is of the date at Edinburgh, the fourth daye of Februarie, one thouſand, ſixe hundreth, and ſixe yeares, Hath ratified and confirmed the ſame, in every poynt and Article thereof. Which all and ſundry the premiſſes, Our Soveraine Lord, with adviſe and conſent foreſayd, ratifieth, and approveth, in all poyntes, in manner as the ſame proportes: and giues unto them the ſtrength of Lawes, and Actes of Parliament: and ordaines execution to paſſe vpon the ſame as effeires.

Apud EDINBURGH, quarto die menſis *Februarij* 1606.

THE LORDES *Of ſecrete Counſell and Seſsion, conſidering the great extortion vſed by the Writers and Clerkes of all Judicatories within this Realme, in extorting from the ſubiectes of the Countrey, ſuch vnreaſonable and exorbitant pryces, for their Writtes, as ought not to bee ſuffered in a well-governed Common-wealth: Procuring thereby not onely priuate grudges, but publicke exclamations, againſt the with-gate and libertie granted vnto ſuch ſhamefull ſcafferie and extortion, highlie to his Maieſties offence, and contempt, hurt and preiudice of His Maieſties good ſubiectes, and to the reproach and ſlaunder of the Judges, vnder whoſe Office and Iudicatories the ſaid Clerkes and Writers ſerue.*

FOR *Remeide whereof in times comming, The Lordes of Secrete Counſell and Seſsion, haue ſet downe the prices of all Letters, Actes, Infeftments, and Writtes, proper vnto whatſoeuer Clerkſhip within this Realme: together with the prices of the Signet, Priuie and Great Seales. Whereby the ſubiectes of the Countrey may knowe, and vnderſtand, what prices they ought to giue for everie Letter, Writte, Extract, and ſeale hereafter, and bee no wayes ſubiect to the vndiſcretion of the Writers, and Keepers of the ſeales. Which prices now ſet downe, by the ſaid Lordes, for the eaſe, benefite, and reliefe of the ſubiectes of the Countrey, The ſaid Lordes ordaines, and commandes, all, and ſundrie Writers, and Clerkes, and the Keepers of the ſeale: everie one in their owne ſeverall Charge and Office, To obſerue and keepe, and in no wayes to exceede the ſaid prices, vpon whatſoever colour or pretence: vnder the paine of Deprivation of the contravener from the Office, and ſeale, which hee poſſeſſeth. And ordaines, and commaundes, the ſaid Clerkes, and Writers, To write all their Letters, Actes, Writs, Regiſters, and ſuch other things as paſſe thorow their Office and handes, compactlie, and in no wayes to abuſe the People with diſperſe writing: vnder the paine to be cenſured and puniſhed, as abuſers of His Maieſties ſubiectes, and as contraveners of the ſaid Lordes Ordinance, now ſet downe anent the ſayd prices. Commaunding and charging alſo all, and ſundrie Clerkes and Writers, bearing publicke Function and Charge within*

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this Kingdome, That they, and every one of them, within the ſpace of a moneth after the date hereof, haue the iuſt and autenticke of this Act, and of the pryces following thereupon, affixed in ſome publicke and patent place of their Buith, and chamber where they write: where thorow all his Maieſties ſubiects having adoe with them, may haue inſpection of the ſame: and accordingly, know what to pay. And that the ſayd Writers, and Clerkes, ſhall write vpon the backes of all Writs to bee giuen out by them, the iuſt and ordinarie price which they receiue from the party for their pains: and ſubſcribe the ſame with their hands, vnder the ſayd paine of deprivation of the contravener.

The Pryces ſet downe to the Clerkes of our Soveraine Lordes Signet, to be taken hereafter for all Signatures, to be formed, and written by them.

ANE Signature of Eſcheat to pay —— Ten ſhillings.
Ane Signature of Eſcheat and Life-rent, xx. ſhill.
Ane ſignature of Ward, *Non entres*, Reliefe, and Mariage, —— xx. ſhillings.
Ane ſignature of Marriage onely, *Non entres* onely, or Reliefe onely. —— x. ſhillings
Ane ſignature of whatſoever Infeftment, Reſignation, or Confirmation, or Erection, for the firſt ſheet thereof, —— xxx. ſhillings
And for every ſheet moe, beſide the firſt ſheete, —— xx. ſhillings
The Precepts upon the ſignatures to pay accordingly as the ſignature payeth.
A Remiſſion, or Reſpite, —— x. ſhill.
The Precept upon the Remiſſion, —— x. ſhill.
Ane preſentation to a Parſonage and Vicarage, —— xiii. ſhill. iiii. d.
Ane ſignature of a Biſhopricke, or Abbacie, containing a ſheete of paper, —— xxx. ſhillings
And for every ſheete moe than one, which the ſignature contains, xx. ſh.
The Precept thereof to pay accordingly
Other common ſignatures of Penſions, Prebendaries, Chaplainries, or Giftes of Offices. —— xiii. ſhillings, iiii. pennies

Pryces ſet downe to the Keepers of the Theaſaurers Regiſter, to be taken hereafter of all ſuch Gifts and Signatures as paſſe the ſayd Regiſter.

THE Eſcheat of any common man, vi ſhillings. viii. pennies
And for every perſon moe that ſhall bee contained in the ſignature, —— iii. ſhillings, iiii. pennies.
Providing that the payment [*per capita*] exceede not ten perſons.
Their Eſcheate and Life-rent to pay the double of the ſame ſummes.
The Eſcheate of a Barron, —— xiii. ſhillings, iiii. pennes.

And for every perſon of that rank, contained in the ſignatur, vi.ſh.viii.d.

Providing that the payment [*per capita*] exceede not ten perſons: and their Eſcheate and Life-rent, to pay the double of the ſame ſummes.

The Eſcheate of a Lord of parliament, —— xl. ſhillings.

And for every perſon moe of that ranke, contayned in the ſignature, —— xx. ſhillings.

Providing that the payment [*per capita*] exceede not ten perſones: Their Eſcheate and Life-rent to pay the double of theſe ſummes.

Ane Legittimation, —— xiii. ſhillings, iiii. pennies.

Ane Remiſſion, or reſpite to a common man, vi.ſhillings, viii pennies.

And for everie perſon moe of that ranke, contayned in the ſayd ſignature, —— iii. ſhillings, iiii. pennies.

The remiſſion, or reſpite, of a Barron, —— xiii. ſhillings, iiii. pennies.

And for everie perſon moe of that ranke, contayned in the ſignature, —— vi. ſhillings, viii. pennies.

The remiſſion, or reſpite of a Lord of parliament, —— xl. ſhillings.

And for every perſon moe of that ranke, contained in the ſame ſignature, —— xx. ſhillings.

Ane ſignature of Jnfeftment of a Fiue pound land, or under, xx. ſhill.

Ane ſignature of Jnfeftment of a Ten pound land, or under, xxx. ſhill.

Ane ſignature of Jnfeftment of all other lands, under a Barronie, or Thirtie pound land, —— xl. ſhillings.

The Jnfeftment of a Barronie, —— l. ſhillings.

The Jnfeftment of an Earledome, or Lordſhip, —— iiii. pounds.

The Warde, Non entres, Reliefe, & Marriage of a Yeoman. xiii.ſh.iiii.d.

Of a Barrone, —— xxvi. ſhillings, viii. pennies.

Of a Lord of parliament, —— iiii. pounds.

Pryces ſet downe to the Keepers of the Collectors Regiſter, to bee taken hereafter of all ſuch Letters as paſſe that Regiſter.

ANE Jnfeftment of a Fiue pound land, or under, — xx. ſhill.

Ane Jnfeftment of a Ten pound land, or under, xxx. ſhil.

Ane Jnfeftment of all other lands, under a Thirtie pound land, or Barronie, —— xl. ſhillings.

The Jnfeftment of a Barronie, —— l. ſhillings.

The Jnfeftment of a Lordſhip of parliament, —— iiii. pounds.

Pryces ſet downe to the Keepers of the Regiſter of Benefices, to bee taken hereafter of all ſuch Letters as paſſe that Regiſter.

PRESENTATIONS to a Vicarage, with the Act of Caution, —— xx. ſhillings.

Preſentation unto a Parſonage, with the Act of Caution, —— xl. ſhillings.

Ane Abbacie, —— iiii. pounds.

Ane Biſhopricke, —— vi. poundes.

Tryces

Pryces ſet downe to the Writers to the privie Seale, to bee taken hereafter of all ſuch Letters and writtes as paſſe that Office.

THE Eſcheate of a Common man, xiii. ſhillings, iiii. pen.
And for everie perſon moe of that ranke, contained in the ſignature, —— vi. ſhillings, viii. pennies.
Providing that their payment (*per capita*) exceede not ten perſons: Their Eſcheate, and Life-rent, to paye the double of theſe ſummes.
The Extract of the ſayd Eſcheate and Life-rent, xiii. ſhill. iiii. pennies.
The Eſcheat of a Barron, —— xxvi. ſhillings, viii. pennies.
And for everie perſon moe of that ranke, contained in the ſignature, —— xiii. ſhillings, iiii-pennies.
Providing alwayes that the payment (*per capita*) exceede not tenne perſons.
Their Eſcheate, and Life-rent to pay the double of this ſumme.
The Extract of this Eſcheate, and Life-rent, —— xx. ſhillinges.
The Eſcheate of a Lord of parliament, —— iiii. pounds.
And for everie perſon moe of that ranke, contained in the ſignature, —— xl. ſhillings.
Providing that the payment (*per capita*) exceede not ten perſons.
Their Eſcheate, and Life-rent to pay the double of the ſayd ſumme.
The Extract of this Eſcheate, and life-rent, to pay —— xl. ſhillings.
Signature of a Vicarage, —— xx. ſhillinges.
Signature of a Parſonage, —— xl. ſhillinges.
Signature of a Biſhopricke, —— x. pounds.
Signature of an Abbacie, —— vi. pounds.
Ane Legittimation, —— xx. ſhillinges.
Ane remiſſion, or reſpite, to a common man, —— x. ſhillinges.
And for everie perſone moe of that ranke, contained in the ſignature, —— v. ſhillinges.
A remiſſion, or reſpite, to a Barron, —— xx. ſhillinges.
And for everie perſone moe of that ranke, contayned in the ſignature, —— x. ſhillinges.
Ane remiſſion, or reſpite, to a Lord of parliament, — iii. poundes.
And for every perſon moe of that rank, cõtained in the ſignatur, xxx. ſh.
Ane Jnfeftment of a Fiue pound land, or under, —— xxx. ſhillinges.
Ane Infeftment of a Ten pound land, or under, —— xl. ſhillinges.
Ane Jnfeftment of all other landes, under a Thirtie pound land, or Barronies, —— iii. poundes.
Ane Jnfeftment of a Barronie, —— iiii. poundes.
Ane Infeftment of a Lordſhip of parliament, —— vi. poundes.
The Warde, Non Entreſſe, Marriage, and Reliefe, of a common man, —— xx. ſhillings.
Of a Barrone, —— xl. ſhillinges.
Of a Lord of parliament, —— v. poundes, vi. ſhillinges, viii. pennies.

Pryces ſet downe to the Director of the Chancellarie, to bee taken hereafter of all ſuch Letters and writtes as paſſe that Office.

Legittimations, —— xl. ſhillings.
Remiſſions to a Yeoman, —— xl. ſhillings.
And for everie perſon moe then one contayned therein, —— xx. ſhillings.
Remiſſion to a Barron, —— iiii. pounds.
And for every perſon of that Ranke, moe than one contained therein, —— xl. ſhillings.
Remiſſion to a Lord of Parliament, —— vi. poundes.
And for everie perſon of that Ranke, moe than one contained therein, —— iii. poundes.
The writing and regiſtring of a Confirmation, or Infeftment, of a fiue pound land, or under, with the Precept of ſeaſing therupon: duely and orderly paſt the Quarter ſeale, —— iiii. pounds
The writing and regiſtring of a Confirmation or Infeftment of a Ten pound Land, or under, with the precept of ſeaſing following thereupon, duely and orderly paſt the Quarter Seale. —— v. pounds.
The writing and regiſtring of a Confirmation, or Infeftment, of all other lands, vnder a Baronie, or Thirtie pound land, with the precept of Seaſing following therupon, duly &orderly paſt the Quarter ſeale, vi. poũd
The writing and regiſtring of an Infeftment of a Barronie, with the precept of Seaſing, paſt the Quarter ſeale. —— x. pounds.
And for everie Barronie, moe then one contained therein, v. pounds.
Providing that the whole payment exceed not —— xx. pounds.
The writing and regiſtring of an Jnfeftment of a Lordſhip, or Earledome, with the precept of Seaſing paſt the Quarter ſeale, —— xx. pounds.
And for everie Barronie, moe then one contained therein, — v. pounds.
Providing that the whole payment exceed not —— l. pounds.
Commiſſions orderly paſt the Quarter ſeale, for ſerving of Brieues in favour of a Yeoman, —— xl. ſhillings.
Commiſſions ſealed in favours of of a Barron. —— iii. pounds.
Commiſſions ſealed in favours of a Lord of Parliament, — vi. pouuds.
Tutorie Datiues, duely and orderly ſealed, —— xl. ſhillings.
For the whole perſons contained in the Tutorie.
Preſentations vpon forfaulter, or baſtardrie of ſmall Annuell-rents, or lands within Burgh: and of ſmall peeces of landes, for the writing and Quarter ſeale, —— xl. ſhillings.
And of other lands of greater availe, —— v. pounds.
Ane Brieue, —— v. ſhillings.
Ane Attornie, —— ii. ſhillings.
The regiſtring of a Retour to a common man, —— xiii. ſhill. iiii. pennies
To a Barron, —— xxvi. ſhill. viii. pennies
To a Lord of Parliament, —— xl. ſhillings.
Precepts upon the Retour for lands, under a Ten pound land, xl. ſhill.
And if the lands bee aboue a Ten pound, to pay accordingly: providing that the higheſt price exceed not —— iiii. pounds.

The

The ſecond and third Precepts, —— xx.ſhillings.
The fourth Precept, conforme to the firſt Precept.
Summonds of Errour, paſt the Quarter Seale, —— iiii. pounds.
And in caſe it containe many remiſſions, not to exceed —— vi. pounds.

Pryces ſet downe to the Writers to the Signet, to bee taken hereafter, of all Letters, Summonds, and Writtes, which paſſe their handes. (Excepting alwayes Signatures, the pryces whereof are already ſet downe.)

ADvocations, and Suſpenſions, —— xiii. ſhillings, iiii. pennies.
For the firſt ſheete: and for everie ſheete moe which it contayneth, beſides the firſt ſheete, —— x. ſhillings.
All common Letters, —— x. ſhillings.
Contractes for the firſt ſheete, —— xxx. ſhillings.
And for every ſheet moe, which it containeth, —— xx. ſhillings.
Summonds of a ſheet of paper, —— xiii. ſhillings, iiii. pennies.
And for everie ſheete moe which it containeth, —— x. ſhillings.

Pryces ſet downe to the ordinarie Clerkes of the Seſſion, to be taken hereafter of all ſuch Letters, Actes, and Writtes, as paſſe that Office.

THE regiſtring of an Obligation, xiii. ſhillings, iiii. pennies.
The Extract thereof, —— xiii. ſhillings, iiii. pennies.
Act, and Letters, —— xx. ſhillings.
An Act of *Litis Conteſtation*, in ſummare and common cauſes, for everie ſheet of the Act, and of the Decreet, xx. ſh.
And in matters of contentious Diſputation, heard in preſence of the ſayd Lordes, The pryce of the Act of *Litis Conteſtation*, to bee at the diſcretion of the partie.
Common & ordinarie Extracts, for every ſheet extracted, xiii. ſh. iiii. d.
The regiſtration to pay as much.

Prices ſet downe to the Clerke of the Billes, before the Seſſion, to bee taken hereafter, of all Billes and Actes proper to that Office.

BILLES, —— iiii. pennies.
Actes of Caution, with the reliefe, —— xx. ſhillings.
Commiſſions, —— xiii. ſhillings, iiii. pennies.
Diſpenſations in favours of a partie, —— iiii. pennies.
And for a Shyreffdome, Stewardrie, or Burgh, —— vi. ſh. viii. d.
Actes of Lawe-boorrowes, For everie perſon contayned in the Act. —— vi. ſhillings, viii. pennies.
Advocations, —— xx. ſhillings.
Relaxations (*per ſe*) —— vi. ſhillings, viii. pennies.
And for everie perſon containd therein accordingly.

Pryces ſet downe to the Clerke of the Privie Counſell, to bee taken hereafter of all ſuch Letters and writtes as paſſe that Office.

Letters of Complaint, containing a ſheete of paper, xx. ſhill.
And for evehie ſheete attour the firſt ſheete, — x ſhillings.
Letters of Law borrowes, — xiii. ſhillings, iiii. pennies.
An act of Caution, with the reliefe, — xx. ſhillings.
An act of Law-Borrowes, for everie perſon contained in the act. — vi. ſhillings, viii. pennies.
Decreetes of a ſheete of paper, — xxvi. ſhillings, viii. pennies.

Pryces ſet downe to the Clerkes of the Exchequer, to bee taken hereafter of all writs which paſſe that Office.

ITEM, for writing, rolling, and extracting of a Shyreffes Compt, — iii. pounds, vi. ſhillings, viii. pennies.
Item, for writing, rolling, and extracting of a Chamberlaines Compt, — iii. pounds, vi. ſhillings, viii. pennies.
Item, for writing, rolling, and extracting of a Burrow compt, — xx. ſhillings.
Item, for writing an Extract of a Rentall, — vi. ſhillings viii. pennies.
Item, For writing of a compt unto any perſon, foorth of the comptroller, or Theſaurers compts, — vi. ſhillings, viii. pennies.
Item, for allowance of a Gift in the Exchequer, vi. ſhillings, viii. pen.
Item, for writing, rolling, and extracting of a Cuſtome compt, xx. ſhill.

Prycees ſet downe to the Keeper of our Soveraigne Lordes Signet, to bee taken hereafter, for all Letters, and writtes, which paſſe the Signet.

FOr Summondes, of whatſoever qualitie, — x. ſhillings.
For letters of Inhibition, and arreſtment, xvi. ſhill. viii. pen.
For letters of Law-Borrowes, and criminall letters, how many perſons ſoever bee inſert, — x. ſhillings.
For Miniſters letters, — x. ſhillings.
For all letters of Horning, of whatſoever qualitie: Except letters of Law-Borrowes, and criminall letters. — xxxi. ſhillings, viii pennies.
A Relaxation, — x. ſhillings.
And accordingly for everie perſon relaxed: or compoſition at the diſcretion of the Keeper of the Signet.
For a Legittimation, — xx. ſhillings.
For ane Infeftment, or Confirmation, of a fiue pounde lande, or under. — xxx. ſhillings.
For ane Infeftment, or Confirmation, of a Ten pounde lande, or under, xl. ſhillings.
For ane Infeftment, or Confirmation of other landes, under a Thirtie pound

pound land, or Barronie, —— l. ſhillings.
For an Jnfeftment of ane Barronie, —— iii. pounds.
And of ſo many moe different Barronies as are contained in the Signature, —— iii. pounds.
For an Jnfeftment of an Earldome,& Lordſhip of dignitie, vi. pounds.
And for everie Barronie beſide, contained in the Signature, iii. pounds.
For compryſings, —— xl. ſhillings.
For an Abbacie, —— vi. pounds.
For a Biſhopricke, —— x. pounds.
For an Arch-biſhopricke, —— xii. pounds.
And if an Abbacie bee included, to pay —— vi. pounds.
For a Remiſſion to a common man, —— xx. ſhillings.
And accordingly for every perſon contrined in the ſame remiſſion, and for every crime.
For a Remiſſion unto a Barron, —— xl. ſhillings.
And accordingly, for every perſon of that ranke, and for every cryme contayned in the Signature.
For a Remiſſion to a Lord of parliament, —— iii. pounds.
And accordingly, for every perſon of that ranke, and for everie cryme contained in the Signature.
A patronage being inſert in a Barronie, to pay the halfe price that the Barronie payeth at the Signet.
A Taxt Warde being inſert, to pay likewiſe the halfe price that the Landes or Barronie payeth at the Signet.
A Regalitie to pay the whole pryce that a Barronie payeth at the Signet.

Pryces ſet downe to the Keepers of the Privie Seale, to be taken hereafter, for all letters and Writtes that paſſe the ſeale.

FOr the Eſcheate of a common Man, —— xxvi. ſhil. viii. d.
And for every peſon moe contained in the Signature, xiii. ſhillings, iiii. pennies.
The life-rent, and Eſcheate to pay the double of this ſumme.
For the Eſcheat of a Barron. — liii. ſhillings, iiii. pennies.
And for every perſon moe of that ranke, contained in the Signature, —— xxvi. ſhillings, viii. pennies.
Their Eſcheate and life-rent to pay the double of this ſumme.
The Eeheate of a Lord of parliament, —— viii. ponnds.
And for every perſon moe of that ranke: contayned in the Signature, —— iiii. pounds.
Their Eſeheate and life-rent to pay the double of this ſumme.
For a Vicarage, —— xl. ſhillings.
For a parſonage, —— iiii. pounds.
For an Abbacie, —— xii. pounds.
For a Biſhopricke, —— xx. pounds.
For an Arch-biſhoprick, —— xxiiii. pounds.
And if an Abbacie be included, to pay —— xii. pounds.

For a Legittimation, ——— xl ſhillings.
For a Remiſſion, or Reſpite, to a common man, ——— xl ſhillings.
And accordingly, for everie perſon, and every crime, contained in the Signature.
For a remiſſion, or reſpite, to a Barrone, ——— iii. pounds.
And accordingly, for every perſon moe of that ranke, and for everie crime contained in the ſignature.
For a reſpite, or remiſſion, to a Lord of Parliament, ——— vi. pounds.
And accordingly, for every perſon of that ranke, and for everie crime contained in the ſignature.
For ane Infeftment, or Confirmation, of a Fiue pounde Land, or under, ——— iii pounds
For the Infeftment, or Confirmation of a Tenne pound Land, or under, ——— iiii pounds.
For the Infeftment, or Confirmation, of all other landes, under a Thirtie pound land, or Barronie, ——— v. pounds.
For an infeftment, or confirmation of a Baronie, ——— vi. pounds.
And for every Barrony moe contained in the ſaid Infeftment, iii pounds.
For an Infeftment, or Confirmation, of an Earldome, or Lordſhip of Dignitie, ——— xii. pounds.
And for every Barronie Beſide, contained in the Infeftment, vi. pounds.
For a Compryſing, ——— iiii. pounds.
For a Patronage, inſert in a Barronie, the halfe price of the Privie Seale.
For a Taxt Ward, the halfe price that the Land or Barronie payeth at the Privie Seale.
For ane Regalitie, the whole priee that the Barrone payeth at the Privie Seale.
For the Warde, Non Entreſſe, Reliefe, and Marriage of men under Barrones. ——— xl ſhillings
For the Warde, Non Entreſſe, Reliefe, and Marriage of a Barrone, ——— iiii. pounds.
For the Warde, Non Entreſſe, Reliefe, and Marriage of a Lorde of Parliament, ——— x. pounds.
For the Warde onely of a meane man, ——— xxx. ſhillings.
For the Warde onely of a Barrone, ——— iii. pounds.
For the Warde onely of a Lord of Parliament, ——— v. pounds.
For the Non Entreſſe onely of men under Barrones, ——— xx. ſhillings.
For the Non Entreſſe onely of Barrones, ——— xl ſhillings.
For the Non Entreſſe onely of Earles and Lords, ——— iii. pounds.
For the Marriage onely of Men under Barrones, ——— xxx. ſhillings.
For the Marriage onely of Barrones, ——— iii. pounds.
For the Marriage onely of Lords of Parliament, ——— v. pounds.
For common Giftes of Prebendaries, Chaplainries, Penſions, or Offices, ——— xxx. ſhillings.

Pryces ſet downe to the Great Seale, to be taken hereafter, for all ſuch Infeftments and Writtes as paſſe that Seale.

THAT The Keeper of the Great Seale exceede not the Quadruple of the Privie Seale: but conforme himſelfe thereunto in all poyntes.

Anent Chamber Fees.

THE Lordes of Secrete Counſell, and Seſſion, findes, That in times by-gone, when the duetie of the Chamber Fees firſt came in cuſtome, That no Infeſtment, or Signature payed Chamber Fee: except onely Reſignations made in the KINGS Hands. And therefore the ſayd Lords declare, ſtatute, and ordaine, That in all time comming, no Infeftment, nor Signature, ſhall pay Chamber fee: Except onely Reſignations of lands holden of his Maieſtie. And that the duetie of the Chamber fee to be taken for the ſayd Reſignations, ſhall bee equall, and proportionall unto the duetie and price due to the Privie Seale for the landes which ſhall bee reſigned. Commaunding hereby, His Maieſties Ushеares, and their Deputies, appoynted for collecting of their ſayd Fee: That they in no wayes violate this preſent Act: but conforme themſelues thereunto in all poynts, as they will anſwere upon their obedience. And that the Keeper of the Signet, and Privie Seale, in no wayes ſtay nor hinder any Letter, or Writte, at their Seales, for alledged not payment of the Chamber Fee, under payne of Deprivation.

Pryces ſet downe to the Procurators Fiſcall, to bee taken hereafter for forming of Teſtaments.

FOR ſmall Teſtaments, wherein there is little Geare, and a meane Quote, ——— xiii. ſhillinges, iiii. pennies.

For Teſtaments wherein there is much Geare, and a great Quote, ——— xx. ſhillings.

For the Teſtament of Earles, Lordes, and great Barrones, for everie ſheete ——— xxx. ſhillinges.

Pryces ſet downe to the Commiſſarie Clerks, to be taken hereafter of all ſuch Letters and Writs as paſſe their Offiue.

ANE Summondes (*Ad Inſtantiam*) with the Signet, ——— viii. pennies.

Ane libelled ſummonds, not exceeding halfe a ſheet of paper, compactly written, ——— ii. ſhillings.

The libelled ſummondes, exceeding halfe a ſheete of paper, ——— iii. ſhillings.

The putting of an Act into the booke, ——— iiii. pennies. And further, as the writing ſhall bee of quantitie, at the diſcretion of the Judge. And the Extract of the ſame as much: and further, at the diſcretion of the ſayd Judge.

The ſummonds, to ſummond Witneſſes: whether the partie, or his procurator be warned, [*apud acta*] or not, ——— viii. pennies.

For pronouncing of ſentences in ſmall actions, of the avayle of twentie poundes, or within: which were wont to bee called Decreetes, ——— iii. ſhillings, iiii. pennies.

For pronouncing of ſentences in cauſes of greater availe, vi. ſh. viii. d.

The precept Executoriall upon the ſentence, ——— ii. ſhillings.

The Jnhibition, ——— ii. ſhillings.

Precepts of arreſtment, ——— ii. ſhillings.

For ſummondes to heare Executors (*Datives*) given, — ii. ſhillings.

For regiſtring of Contractes, Obligations, or ſuch like Evidents, not exceeding halfe a ſheet of paper, ——— iii. ſhillings, iiii. pennies.

For regiſtring of the ſame, exceeding halfe a ſheet of paper, vi. ſh. viii. d.

The Extract thereof ſubſcribed by the principall Clerke, halfe as much.

The Tranſumpt of Evidents, or Writings, under the Seale of Office, ——— xiii. ſhillings. iiii. pennies.

The Extracting of Proceſſe, written compactly: each leafe on both the ſides, ——— ii. ſhillings.

The regiſtring of a Teſtament, containing a ſheet of paper, xxvi. ſh. viii. d.

And if it exceed a ſheet, ——— xxxiii. ſhillings, iiii. pennies.

Pryces ſet downe to the Shyreffe Clerkes, Steward and Baylie Clerks, and Clerks of Regalitie: and to Clerks in Services, by Commiſsion, to bee received by them, for all ſuch Letters, Actes, and Writs, as paſſe their Offices.

FOR a libelled precept, being formed by the Clerke, ſealed, and ſubſcribed, ——— xiii. ſhillings, iiii. pennies.

And if it be not formed by the Clerke, for the ſubſcribing and ſealing, ——— vi. ſhillings, viii. pennies.

For a precept of areſtment, with the ſeale therof, vi. ſh. viii. d.

For an act of lowſing of arreſtment, vi. ſhillings, viii. penn.

For the act of Law-borrowes, taken at the Barre, vi. ſhil. viii. pennies.

For an act of Curatorie, with the Edict, Proceſſe, and Extract thereof, ——— xxvi. ſhillings, viii. pennies

For an act of Revocation, or Renunciation, given in Writte to bee regiſtrated, ——— vi. ſhillings, viii. pennies.

And the Lordes of Secrete Counſell expreſſely prohibite, and diſcharge, THAT no act of revocation or renunciation, bee received by Judiciall compearance, without a Warrand in Writte, bearing regiſtration.

For Extract of the revocation, or renunciation, — vi. ſhill. viii. pennies.

For act and precept of Continuation, in all cauſes, vi. ſhill. viii. penn.

For ane act of *Litis Conteſtation*, with the precept of Diligence, contayning

tayning a ſheet of paper, or within, ——— x. ſhillings.
And in caſe it be more then a ſheet, that the payment exceed not xx. ſh.
For booking and extracting of everie Decreet, within a ſheete, — x. ſh.
And for every ſheet more that exceedes the firſt theete, written compactly, ——— vi. ſhillings, viii. pennies.
Providing alwayes that the decreet exceed not ——— xl. ſhillings.
how long ſoever the decreete bee.
For a precept to poynd, eject, and remoue, ——— x. ſhillings.
For deducing of a Proceſſe, to ſerue a generall Heyre: and for extracting and ſealing the retour thereof, ——— xxx. ſhillings.
For the proceſſe of a ſpeciall ſervice to Landes, with the retour extracted, and ſealed thereupon, comprehending herein the opening and proclayming of the Brieves, Forming of the claymes, and all things to bee done in the proceſſe, if the lands extend to a Fourtie pound land, or within, ——— iiii. pounds.
And if it exceed a Fourtie pound land, to pay ——— xii. poundes.
For an Inſtrument of ſeaſing upon the retour, ——— iiii. pounds.
And if it bee a Barronie, and Lordſhip of land, diſpenſing with the ſeaſing, to bee taken at a place, and if the landes lye *diſcontigue*, and farre from the Shyreffes reſidence: that they exceed not ——— x. poundes
For regiſtring of Letters of Horning, upon a ſimple charge, or foure formes, as well in the Bookes of the Clerkes foreſayd, as in the Clerke of Regiſters Bookes, for every ſheet thereof — vi. ſhillings, viii. pennies.
And not to exceede xx. ſhillings
how long ſoever the horning be.
For Inhibitions, and Relaxatious, how long ſoever they be, — xx. ſhill.
For every ſheete of all extracted proceſſes, which the Writer ſhall bee holden to write compactly, under payne to bee puniſhed, in caſe hee fayle, ——— x. ſhillings,

Pryces ſet downe to the Clerkes of the Admiralitie, to be taken hereafter, for all Letters, Acts, and Writtes, as paſſe that Office.

FOR a libelled precept, being formed and written by the Clerke, and ſealed, and ſubſcribed, — xiii. ſhil. iiii. pennies,
And if it be not formed by the Clerke, for the ſubſcribing, and ſealing thereof, ——— vi. ſhillings, viii. pennies.
For the precept of arreſtment, with the ſeale thereof, ——— vi ſhillings, viii. pennies
For the act of lowſing of arreſtment, — vi. ſhillings, viii. pennies.
For an act and proceſſe of continuation, in all cauſes, vi. ſhill. viii. penn.
For an act of *Litis Conteſtation*, with the precept of Diligence, contayning a ſheet of paper, o. within, ——— x. ſhillings.
And in caſe it be more then a ſheet, that the payment exceed not xx. ſhill.
For booking and extracting of every Decreete, within a ſheete of paper, ——— x. ſhillings.
And for every halfe ſheet more that exceedeth the firſt ſheet, which the Lords ordaine to be compactly written, ——— vi. ſhillings, viii. pennies.

It is alwayes ordayned, and commaunded, by the ſayd Lords, That the payment exceed not ——— xl. ſhillings. how long ſoever the decreet bee.
For a precept to poynd, ——— x. ſhillings.
For every ſheete of all extracted Proceſſes, which the Writer ſhall bee holden to wrkte compactly, under the payne to bee puniſhed, in caſe he faile, ——— x. ſhillings.

Pryces ſet downe to the Keepers of the Secretaries Regiſter, to bee taken hereafter, for all ſuch Letters as paſſe that Office.

THE Lords of Secrete Counſell and Seſſion, commaund, and ordayne the Clerkes, Keepers of the ſayd Regiſters of the Secretarie, That they and every one of them conforme themſelues in their pryces, to the Actes of Parliament, made anent the the pryces of ſuch Letters and Writtes, as paſſe through their Regiſters: And, that they in no wayes preſume to exceed the ſayd pryces, under the payne of deprivation.

Pryces ſet downe unto the Clerkes within Burgh, to bee taken hereafter, for all ſuch Letters, Actes, and Writtes, as paſſe the Office of common Clerkship within Burgh.

THE clayme of debt, in matters of ſmall importance, — xii. d.
The Act of Court, The firſt Day, and all Actes, before *Litis Conteſtation*, ——— viii. pennies.
The Act of Jnterloquutor, or *Litis Conteſtation*, xii. pennies.
The Acts of probation, (*uſque ad ſententiam*) ——— xii. pennies.
The Extract thereof, for calling the action, and warning the partie, and Witneſſes, ——— xii. pennies.
The ſentence pronouncing in ſmall cauſes, ——— ii. ſhillings.
And in great cauſes not to exceede ——— vi. ſhillings, viii. pennies.
The Extract thereof, ——— vi. ſhillings, viii. pennies.
In great cauſes, exceeding ——— xl. pounds.
the clayme being made by libelled precept, for every precept forming, and ſubſcribing, ——— vi. ſhillings, viii. pennies.
The Actes thereof, ——— xii pennies.
The Act of Interloquutor booking, ——— xii. pennies.
The Extract thereof, ——— iii. ſhillings, iiii. pennies.
The ſentence pronouncing and booking, — vi. ſhillings, viii. pennies.
The extract of each ſheet thereof, compactly written, — vi. ſhill. viii. pen.
All the actes in the Proceſſe: every act ——— xii. pennies.
The precept of poynding, ——— ii. ſhillings.
The Booking of Goods compryſed by Officers, vi. ſhillings, viii. pennies.
The Proceſſe of compriſing of landes, or annuell-rentes, each ſheete compactly written, ——— viii. ſhillings, viii. pennies.
Every act thereof, ——— xii. pennies.
Every clayme of Iniurie, which paſſeth not unto an Aſſyſe, but Witneſſes

neſſes examinate thereupon, ——— xii pennies.
Everie Dittie of ſtroakes, and blood, ——— xii. pennies.
The depoſitions of Witneſſe: every perſon ——— xii. pennies.
Commiſſion for examination of witneſſe, direct to other Iudges, vi. ſh. viii. d
For proclayming of the Brieue, ——— vi. ſhillings, viii. pennies.
For indorſing of the Brieue, ——— iii. ſhillings, iiii. pennies.
For making of the claime in a generall ſervice, — iii. ſhillings, iiii pennies.
For making of the clayme in a ſpeciall ſervice, — vi. ſhillings, viii. pennies.
For the actes of obiecting, and replies, ——— xii. pennies.
For Booking and Extracting of a generall ſervice, and directing of the retour, ——— xx. ſhillings.
For Booking and Extracting of a ſpeciall ſervice, and directing of the retour, for a tenement, ——— xxx ſhillings.
For two tenements, ——— xl. ſhillings.
And if there bee moe tenementes, the whole payment not to exceede, ——— iii. pounds.
For an Inſtrument of ſeaſing upon a generall ſervice, ——— iii. pounds.
Fot an Inſtrument of ſeaſing upon a ſpeciall ſervice, ——— iiii. pounds.
A Charter of Alienation, ——— xl. ſhillings.
And for every Land moe than one contained in the Charter, — vi. ſh. viii. d.
Providing that the whole payment exceed not ——— iii. pounds.
A Procuratorie of Reſignation, ——— iii. pounds.
And for each land moe than one contained in the Procuratorie, vi. ſh. viii d
And the whole payment not to exceed ——— xlvi. ſhillings, viii. pennies
An Inſtrument of Reſignation, ——— xxx. ſhillings.
A Conrract of Alienation, contayning a ſheet of paper, — xx. ſhillings.
And for every ſheet moe than one, ——— x. ſhillings.
The Regiſtring of every ſheet thereof, ——— x. ſhillings.
The extract and ſubſcribing of every ſheet, ——— x. ſhillings.
For a Reverſion, written upon parchment, ——— xl. ſhillings.
And in caſe of moe lands, not to exceed ——— liii. ſhillings, iiii. pennies.
The booking and extracting of every ſheet of whatſoever contract, x. ſhill.
Charter parties, of each partie of two, ——— vi. ſhillings, viii. pennies.
Indentures of each partie of two, ——— vi. ſhillings, viii. pennies.
Booking of Prentizes, ——— ii. ſhillings.
The Extract thereof, ——— ii. ſhillings.
Act of Creating of a Burgeſſe, and Extract thereof, ——— xii. ſhillings.
The Guilde Ticquets, ——— xii. ſhillings.
The Entry of Ships and Boates, and extract thereof, iii. ſhillings, iiii. penn.

THE LORDES *Of Secret Counſell, and Seſſion, Ordaines and commaundes, That no Proceſſe be granted before inferiour Iudges in the firſt ſummonds: but upon libelled Precepts, and Citation of fifteene dayes warning, conforme to the Act of Parliament.*

And Ordaines theſe preſents to be published, and Imprinted.

☞ ATTOUR, Our Soveraine Lord, with conſent foreſayd, hath [*ſimpliciter*] diſcharged the whole Subiects and Lieges of this

Realme, of all ſuch by-gone penalties, unlawes, and puniſhments, which they, or any of them haue incurred through breaking and violating of the ſayd Act of Counſell in any time by-gone, preceeding the date hereof: and decernes the ſame, to bee of ſtrength, force, and effect, againſt the tranſgreſſours thereof, in all time comming onely.

AND FURTHER, Our Soveraine Lord, with conſent foreſayd, Giveth, and granteth, full power and commiſſion, unto the Lords of His Highneſſe Privie Counſell, To take order for ſetting downe and appoynting of ſuch particular pryces, as are omitted to be ſet downe by the ſayd Act of Counſell. And whatſoever the ſayd Lords of Privie Counſell, ſhall determine and ordayne in the premiſſes, Decernes the ſame to haue the ſtrength and force of an Act of Parliament, in all time thereafter.

ACT. XX.

Act, ordayning Annuell-rent to be due after Horning.

OUR SOVERAINE LORD, and ESTATES of Parliament, conſidering the great prejudice which diverſe of His Maieſties Lieges ſuſtayne by the want of their money, lent and given foorth upon Band, or Contract, or other wayes iuſtly owing unto them, by their Debtors: who having uſed all Execution competent to them by Lawe, againſt their debtors, by charging, and putting of them to Horne: are forced, after many yeares, to receiue their principall ſumme, and penaltie, without any ſatisfaction of their annuell-rent, and intereſſe of their money in the meane time. Which, as it is a preiudice vnto the true Creditors: ſo it is an occaſion to the debtors to contemne His Maieſties charges, and Letters of Horning: who reſolue in end to pay no more for reliefe of the Horning, after many yeares delay, than they were obliſhed unto at the beginning.

FOR remeide whereof, His Maieſtie, with adviſe and conſent of the Eſtates of Parliament, ſtatuteth and ordayneth, That whenſoever any perſon is denounced Rebell, and put to the Horne, for not payment of ſummes of money, owing by him, by band, contract, or otherwayes: That after the ſayd denunciation, the ſayde perſon ſo denounced, ſhall bee ſubiect in payment of of Annuell-rent for the ſayd ſummes for the which hee is put to the Horne, and that of all yeares and tearmes from the date of the ſayde denounciation, unto the time of the payment of the ſame: and that notwithſtanding there bee no paction, nor condition of annuell-rent made betwixt the ſayd parties, which may binde the ſayd partie who is denounced rebell, unto the payment thereof. And ſuch perſons as are now ſtanding rebels, and at the Horne, This Act ſhall not worke againſt them, *(quo ad preterita,)* But ſhall haue ſtrength and force againſt them in time comming, From the Feaſt of Martinmeſſe next in this inſtant yeare of GOD, one thouſand, fixe hundreth, twentie and

one

one yeares: and they ſhall begin to bee ſubiect in payment of annuell-rent at that time, and yearly and tearmly thereafter, untill the payment of the principall ſumme.

ACT. XXI.

Anent Servants, going lowſe, and leaving their Maſters ſervice.

UR SOVERAINE LORD, And ESTATES of Parliament, underſtanding the great ſtraytes and neceſſities, whereunto to poore Labourers of the Ground are driven, and conſtrayned: Eſpecially by the fraud and malice of Servants, who eyther refuſe to be hyred, without great and extraordinarie Wages promiſed unto them: Or otherwayes hyre themſelues onely from Martinmeſſe to Whitſonday: after the which Tearme of Whitſonday, they caſt themſelues lowſe, of purpoſe and intention, to make their gayne and advantage by the extraordinary workes which befall in that ſeaſon, betwixt Whitſonday and Martinmeſſe: ſuch as caſting and winning of Peats, Turfs, Fewell, Divots, building of Fold dykes, ſhearing in the harveſt. For doing whereof they know the ſayd Husband-men, who haue neceſſarily adoe therewith, will be forced to hyre them at daylie and weekly wages, and ſuch high rate as they pleaſe, to the great harme of the Labourers of the Ground, and all his Maieſties ſubiects.

FOR remeide whereof it is ſtatuted, and ordayned, That it ſhall not be lawfull for any hyred ſervant, from Martinmeſſe to Whitſonday, To leaue his Maſter at the ſayd Tearme of Whitſonday, and to runne lowſe in that ſervice: Except hee bee able to verifie to the Juſtice of Peace, or Conſtable of the boundes, That hee is hyred unto another Maſter, from the ſayd Feaſt of Whitſonday to Martinmeſſe thereafter. And if it be found, that he is not hyred to another Maſter: Then, and in that caſe, it is declared, That it ſhall be lawfull unto his preſent maſter to keepe, and detayne him, from the ſayd Feaſt of Whitſonday, unto Martinmeſſe, for payment to him of ſuch Wages as hee payed unto him of before. And if he refuſe to ſerue, that the Juſtice of Peace ſhall haue power to compell him thereunto. And if the ſayde ſervant of the qualitie forſayde, breake lowſe from his Maſter, It ſhall bee lawfull for his Maſter to take and apprehend him, whereſoever hee findeth him, and preſent him unto the Conſtable, or Juſtice of Peace, upon the ground where he ſhall be found; who ſhall haue power to compell the Servant to returne unto his former Maſter, (if it be found that he be Maſterleſſe, and none otherwayes)

AND ſuch like, His Maieſtie, and Eſtates, findes, and declares, That it ſhall be lawfull unto all His Maieſties Lieges, who haue neceſſarie adoe with Labour, To take, apprehende, and employh, in their Works, whatſoever lowſe and Maſterleſſe Men, and Women, whom they ſhall find within their owne Bounds. And ſuchlike, that the Juſtices of Peace, and Conſtable, ſhall haue power, at the inſtance and deſire of whatſoever perſon His Maieſties Lieges, to force, and compell all, and whatſoever lowſe Men and Women, to ſerue for competent hyre and Wages.

ACT. XXII.

Anent Conntterfeyting, and making of falſe Writtes.

FOR Eſchewing the danger wherein many of His Majeſties Lieges ſtand, by counterfeyting and falſifying of Evidents: IT IS ſtatuted, and Ordayned, That whoſoever maketh and uſeth a falſe Writ, or is acceſſorie to the making thereof, ſhall bee puniſhed ſhith the paynes due unto committers of falſe-hood. AND it ſhall not be lawfull for any perſon, counterfeyter, falſifier, or acceſſorie, whatſoever, to declare in judgement, that he paſſeth from the Writ quarrelled of falſehood. But if after the tryall, the Writ quarrelled be found falſe, the paſſing from, or declaration of the party, that hee will not uſe the ſame, ſhall no wayes free him from the puniſhment which is due unto thoſe who commit falſhood.

ACT. XXIII.

A generall pardon for deedes done againſt penall ſtatutes: (ſome few excepted) And a diſcharge of Iames Cranſton his Commiſsion.

OUR SOVERAINE LORD, and ESTATES of this preſent Parliament, conſidering the complaint made by the Barrons, Shyreffes, Stewardes, Baylies, and other Free-holders within this Kingdome, concerning the danger which all our Soveraine Lords Lieges doe daylie uuder-lye, for having tranſgreſſed penall Statutes, which haue a Pecuniall, or arbitrarie payne adiected thereunto: And the great hurt and prejudice ſuſtayned, by granting Commiſſions unto private perſons, for execution of the ſame ſtatutes, which haue been uſed amongſt the common people, at ſundry times, with intollerable rigour, and exaction, of before: HAUE diſcharged, freely pardoned, and remitted: DISCHARGES, freely pardons and remits, all contraveners of any of the ſayd penall ſtatutes, for all deeds done by them contrary to the tenor of the ſame ſtatutes, in times by-gone. Except onely the ſtatutes concerning wearing and bearing of Hagbuts and Piſtolets: Taking of unlawfull uſurie: Tranſporting of Money and Gold: And ſlaying of red and black Fiſh: Which are no wayes diſcharged by this preſent Statute, nor comprehended hereintill.

AS ALSO, Our ſayd Soveraine Lord, with adviſe and conſent of the ſayd Eſtates, Statutes, and declares, That hereafter Commiſſion for putting of penall Statutes to execution, ſhall onely bee granted to honeſt men, of good qualitie: who ſhall be ſufficiently authorized by the Lords of Secret Counſell, for diſcharging of their Office. And abſolutely diſcharges in time comming, James Cranſton, his Deputies, or Officers, to call, or conveine any perſon or perſons, for ſlaying of red or blacke Fiſh. And from henceforth declares, The power of his Commiſſion granted unto him to that effect, to be quite extinguiſhed, and aboliſhed.

ACT.

ACT. XXIIII.

Anent Evidents paſt the greale Seale, which are not regiſtrated.

OUR SOVERAINE LORD, and ESTATES of Parliament, underſtanding, That there are ſundry Infeftments, and other Writtes, which paſſe his Highneſſe Great Seale, That in time by gone, after the expeading thereof, and appending of the Seale thereunto: Haue, through the over-ſight, and negligence of the Receivers thereof, in the not returning of the ſame to the Director of His Highneſſe Chancellarie, and his Deputies, Been omitted, to be regiſtrated, in their Bookes, and Regiſters appoynted for that effect And conſidering, that the not regiſtration of the ſame Infeftments and Writs, tendeth to the great hurt and prejudice of the perſons unto whom the ſame are granted, and pertaine.

THEREFORE, Our ſayde Soveraine Lord, and Eſtates of Parliament, for remeide hereof, ſtatutes and ordaynes, THAT in time comming, when any Infeftment, or other Writ, or Evident, which paſſeth his Highneſſe Great Seale, ſhall bee formed and written by the Director of his Highneſſe Chancellarie, or his Deputies. The ſame after the writing thereof, ſhall bee delivered by them unto the partie, In-giver of the ſayd Infeftments, or other Writtes foreſayd: To the effect he may get His Highneſſe Great Seale thereunto appended. At the deliverie whereof, the partie receiver of the ſame, ſhall onely be holden and aſtricted to pay at that time to the Director of the Chancellarie, or his Deputes, That one halfe of the pryces allowed unto him by the Booke of Rates for writing of Evidents to the great Seale: And that onely in conſideration of the paynes taken in forming and writing of the ſayd Writs and Evidents, without paying before hand, the other halfe of the ſayd pryces, which hereby is appoynted to bee reſerved unpayed while the ſame bee regiſtrat in maner after mentioned. Which Infeftments and Evidents being delivered to the Keeper of the great Seale, and hee having appended the ſame Seale thereto, and being ſatisfied of the price due to him therefore: Ordaynes the Keeper of the Great Seale, to returne and redeliver the ſame Infeftment, or other Writ foreſayd, ſo ſealed by him backe againe, to the Director of His Highneſſe Chancellarie, or his Deputies: To the effect the ſame Infeftments, Evidents, or other Writs foreſayd, may bee regiſtrated by him in the Regiſters, and Bookes appoynted for that effect. Which being ſo regiſtrated, Ordaines the Director of His Highneſſe Chancellarie, and his Deputies: to deliver the ſame to the partie: Hee being ſatisfied of the other halfe of the pryce foreſayd, retayned by the partie, and unpayed by him, at the time of the writing of the ſayd Evidents to the Great Seale, as due for the regiſtration thereof, in manner aboue-written.

AND ALSO, Our ſayde Soveraine Lord, ſtatutes and ordaynes, all, and whatſoever perſons, who haue any Infeftments, Writs, or Securities, graunted unto them, and already paſt the Great Seale, and which are not as yet regiſtrated, to returne the ſame back againe, unto

the Director of His Highneſſe Chancellarie, within the ſpace of a yeare after the publication of this preſent Act. To the effect the ſayd Jnfeftments, and Writs, may be regiſtrated by the ſayd Director of His Highneſſe Chancellarie, and his Deputies: and that (*gratis*) and without any payment to be given unto him therefore.

ACT. XXV.

Anent Banquetting, and Apparell.

UR SOVERAINE LORD, and ESTATES Of Parliament, Conſidering the great hurt comming unto this Countrey, by the ſuperfluous uſage of unneceſſarie ſumptuouſneſſe in Meat, Apparrell, and otherwayes: and that by all ſortes of people, promiſcuouſly, without diſtinction of perſons, of rankes or qualitie. For repreſſing of the ſayd abuſe in time comming, Doe ſtatute and Ordayne, THAT None of Our Soveraine Lords Lieges, of whatſoever qualitie or degree, ſhall weare any cloathing of Golde or Silver Cloathe, or any Gold or Sliver Lace upon their Apparels, or any part of their Bodies hereafter. And that no manner of perſon ſhall haue any Apparrell of Velvet, Sattin, or other ſtuffes of ſilke, except Noble men, Lords of Parliament, Prælates, His Maieſties Counſellers, Lords of Seſſion, Barrons, of qualitie, having of free yearly rent foureſcore Chalders Victuall, or ſixe thouſand Markes of ſilver: and the Proveſts of the principall Burrowes, within this kingdome, or thoſe who haue been Proveſts: with ſuch alſo as ſhall happen to be, or haue been, Proveſts, Baylies, Deane of Guilde, and Theaſaurer, within the Towne of Edinburgh: Excepting alſo Rectors of Univerſities.

AND IT JS ſtatuted, and ordayned, That theſe perſons which are permitted to weare the ſayde apparelling of Silke, ſhall no wayes haue Embrdring, or any Lace or Paſſements upon their cloathes: except onely a plaine Welting Lace of Silke upon the ſeames, or borders of their cloathes: with Belts, and Hat-bands embrodred with ſilke: and ſuch like, That the ſayde apparell of ſilke bee no wayes cut out upon other ſtuffes of ſilke: except upon a ſingle Taffatie. AND, that the Wiues of the ſayd priviledged perſons, their eldeſt ſonnes, and eldeſt daughters, unmarried, and the children of all Noble Men, be licentiate to weare their apparell in manner aforeſayd onely, under the payne of thouſand pounds, (*Toties, quoties.*)

ITEM. That no perſon, of whatſoever degree, ſhall haue Pearling, or Ribbening vpon their Ruffes, Sarkes, Napkins, and Sockes: Except the perſons before priviledged. And the Pearling and Ribbening to be ſo worne by them, (if any be) to be of thoſe made within the Kingdome of SCOTLAND, under the payne of an hundreth poundes, (*toties, quoties.*)

ITEM,

3. ITEM, That none weare upon their Heads, or Buskings, any Feathers. And notwithſtanding, it is permitted, That any perſon may weare Chaines, or other Gold-ſmiths worke, having no ſtones, nor pearles, within the ſame. And that no perſon weare any pearles, nor precious ſtones: Except the perſons before priviledged: under the payne of a thouſand Markes, to be payed by the contraveners, *(toties quoties.)*

4. And it is ſtatuted, That no perſon, nor perſons, (Except the priviledged perſons foreſayd) weare Launes, or Cambricke. And that no perſon whatſoever weare upon their Bodies, Tiffinies, Cobwebbe-Launes, or Slyres, under the paine of an hundreth poundes, *(toties quoties)*

5. Nevertheleſſe, The Kings Maieſties, Prince, and their ordinarie Houſe-holde ſervants, are exeemed from this Act, and all the clauſes thereof.

6. It is moreover ſtatuted, That no ſervants, Men or Women, weare any cloathing, except thoſe that are made of Cloath, Fuſteans, Canves, or ſtuffes, made in the countrey. And that they ſhall haue no ſilke upon their cloathes: Exeept ſilke Buttones, and Button holes: and ſilke Garters, without pearling, or roſes, under the paine of an hundreth Markes, *(toties, quoties.)*

7. It is alwayes declared, That it may be lawfull for them to weare their Maſters, or Miſtreſſes old cloathes.

8. It is hereby ordayned, That no cloathes bee guilded with Gold.

9. It is alſo declared, That Heraults, Purſevants, and likewiſe Trumpetters, be exeemed from this Act.

10. Item, it is ſuch like ſtatuted, That Minſtrels be exeemed.

11. IT IS farther ſtatuted, That none, except the priviledged perſons foreſayd, uſe Damaske Naprie, brought from beyond ſea, under the paine of an hundreth pounds, *(toties, quoties*

12. IT IS likewiſe ſtatute, that no moe deule weedes bee made at the death of any Earle, or Counteſſe, but twentie foure at the moſt: Or for ane Lord of Parliament, or ane Lords wife, but ſixteene onely. and for all other priviledged perſons before named, twelue at the moſt: And that none (except the priviledged perſons) haue any honours caryed, and theſe according to their qualities; and that no deule weeds be given to Heraulds, Trumpetters, or Saullies, Except by the Earles and Lords, and their wiues. And the nnmber of the Saullies to be according to the number of the deule weedes, under the payne of ane thouſand pounds, *(toties, quoties.)*

13. IT IS ſtatuted, That the faſhion of Cloathes now preſently uſed, not to bee chaunged by Men or Women, and the wearers thereof: under the payne of forfaultrie of the cloathes, and of an hundreth

pounds, to be payd by the wearers, and as much by the makers of the ſayd cloathes, (*toties, quoties.*)

14. It is ordayned, That no Caſtor Hats bee uſed nor worne, but by the priviledged perſons: under the payne of an hundreth poundes, (*toties, quoties.*)

15. It is further inacted, That no cloathes ſhall bee made after the publication of the Act, but according to the manner and condition before expreemed. And that none of the former diſcharged Cloathing bee worne by no perſon after Martinmeſſe, the yeare of GOD, one thouſande, ſixe hundreth, twentie, and three yeares: under the paynes [*reſpective*] aboue ſet downe, (*toties, quoties.*

16. ITEM, It is ordayned, That the Husband-men, and Labourers of the Ground, weare no cloathing, but Grayes, White, Blew, and ſelfe Blacke Cloath, made in SCOTLAND: And that their Wiues and Children weare the like: under the payne of fourtie poundes, (*toties, quoties.*)

17. IT IS Further ſtatuted and ordayned, That no perſon uſe any manner of Deſert of Wette and dry Confections, at banquetting, Marriages, Baptiſmes, Feaſtings, or any Meales: Except the Fruites growing in SCOTLAND: As alſo Figs, Raiſins, Plumbe-damies, Almondes, and other unconfected Fruites: under the paine of a thouſand Markes, (*toties, quoties.*) Excepting ſuch like the uſe of the foreſayde forbidden confections to bee lawfull for the entertaynment of his Majeſtie, Prince, and their Traynes, being within the countrey, and for Ambaſſadours, or ſtrangers of great qualitie.

18. And it is ſtatuted moreover, That no perſon, of whatſoever qualitie, uſe any Feaſting at Burials, or offer of other Meats, except bread and drinke. As likewiſe, no perſon uſe any eating or drinking at Night-wakings, or Lieke-wakes: under the payne of a thouſand Markes. (*toties, quoties.*)

ACT. XXVI.

Anent Thaicking of Houſes in Edinburgh, with Sklaite and Skaillie.

OUR SOVERAINE LORD, and ESTATES of this preſent Parliament, conſidering, that ſundry perſons of meane qualitie, acquire unto themſelues the heretable right of ſundry ruinous Lands, and Waſtes, within the Towne of Edinburgh. And for want of meanes to build the ſame ſufficiently, thaickes the ſame with Strawe, and Deales, Whereby the Landes next adjacent unto the ſame, builded upon the great charges and expences of the heretors, are oftentimes brought in great hazard, and ſometime to decay, in time of ſudden Fyre. THEREFORE, and for further decoration of the

of the ſayde Burgh, beeing the Head-burgh of this Realme, Our Soveraine Lord, with conſent of the ſayde Eſtates, ſtatutes and ordaynes, That in all time to come, no manner of perſon, nor perſones, ſhall bee ſuffered, or permitted to builde any houſes within the ſayde Burgh of Edinburgh: But ſuch as ſhall be covered with Sklaite, or Skallie, Lead, Tylde, or Thacke-ſtone. AND alſo, ſtatutes, and ordaynes, That the heretors of ſuch houſes as are already thaicked with Thack and Straw, (if the ſame Thacke, and Straw Roofs, ſhall hereafter at any time become ruinous) ſhall bee aſtricted to thicke the ſame againe with Sklaite, or Skaillie, Lead, Tylde, or Thacke-ſtone. AND, Ordaynes, Letters of Horning to be directed hereupon, againſt the heretors of the ſayd lands, in forme as effeires. AND ſuch like, Ordaines the Proveſt and Bayllies of the ſayd Burgh, To put this Act to Execution.

ACT. XXVII.

Anent Compriſing from apparent Heyres, extended as well unto Mens owne Debts, as their Predeceſſors.

OUR SOVERAINE LORD, And ESTATES of this preſent Parliament, Ratifies, approves, and confirmes, the 106. Act of the ſeaventh Parliament of King JAMES the fifth, of worthy memory: Intituled, The Creditor may purſue him, who is charged to enter, and entreth not, in all the Heads, Articles, and Clauſes thereof. With the addition and explanation following: THAT the ſame ſhall bee extended vnto Debts owing by any perſon himſelfe, as well as to thoſe which are addebted by his predeceſſors. For the which debt, it ſhall bee as lawfull for a Creditor, to charge any perſon to enter Heyre to his predeceſſor, and with the like certification, as if the predeceſſor had been debtor thereintill. Whereupon compriſing may follow in manner ſpecified, in the ſayd Act.

ACT. XXVIII.

Anent taking of Annuell-rent before hand, to be Vſurie.

OUR SOVERAINE LORD, and ESTATES of this preſent parliament, conſidering, that notwithſtanding Uſurie, and taking unlawfull Annuell, more than ten for each hundreth, hath been by ſundry Actes of before diſcharged, and forbidden: Yet it hath been uſuall, by an evill and corrupt cuſtome, to take, or retayne, the Annuell-rent, the time of the borrowing the Money: Which in effect is eleven of each hundreth, at leaſt. FOR Avoyding whereof, ſtatutes, and ordaines, That no perſon, who lendes, or giues out Money, and receiues Annuell therefore, ſhall retayne the time of the lending, exact, craue, or receiue, from their Debtors, the Annuell of their lent ſummes, untill the tearme of payment appoynted by their Bandes, bee firſt come. And it ſhall bee lawfull, at the time of

lending of Money, and making of Bands, to adde the annuell unto the principall ſumme: providing alwayes, neither principall nor annuell be exacted, or craved, before the tearme of payment appoynted to the ſayde Band. And the contraveners of this preſent ſtatute ſhall be puniſhed as unlawfull uſurers.

ACT. XXIX.

Ratification of the Act of Secret Counſell, Againſt Backſters, Browſters, Fleshers, and Candle-makers of Edinburgh.

OUR SOVERAINE LORD, With adviſe and conſent of the ESTATES of this preſent Parliament, By the Tenor hereof, Ratifies, Approues, and confirmes, The Act of Secret Counſell, of the date the ſeaventeenth day of Februarie, one thouſand, ſixe hundreth, and eighteene yeares: Made, and ſet downe, by his Majeſtie, with conſent of the Lordes of His Highneſſe Secret Counſell, againſt the Backſters, Browſters, Fleſhers, Candle-makers, and others therein contayned, In-dwellers within Edinburgh: With the publication and proclamation following thereupon, In all and ſundry heads, poynts, paſſages, circumſtances, and others, ſpecified there-intill: conforme to the Tenor thereof, in all poynts. AND Willes, and Declares, The ſame to haue beene, in all time by-gone, ſince the making and publication thereof: And to bee, and ſtand, in all time comming, good, valiable, and effectuall in the ſellfe: and to haue the due, benefite, and execution thereof, conforme thereunto: Againſt all who haue tranſgreſſed: or ſhall happen to tranſgreſſe, and contraveine the Tenor of the ſame. Whereof the Tenor followeth:

Apud Edinburgh, Decimo ſeptimo Die Menſis Februarii, Anno Domini Milleſimo, Sexcentiſimo, decimo octavo.

FOR AS MUCH, As The Kinges Maieſtie, And Lordes of His Privie Counſell, Conſidering the dangerous and fearfull abuſe, which hath beene of continuance theſe many yeares by-gone, within the Burgh of Edinburgh, by the Tolerance, Connivance, and over ſight, which hath beene given unto Backſters, Browſters, and others, to builde, and keepe ſtackes of Hather, Broome, Whinnes, and other Fewell, in the heart of the ſayde Burgh, and in the Vennalles and Cloaſſes of the ſame: Where ſundry of His Maieſties good ſubiectes, Inhabitants of the ſayde Burgh, haue, with great charges and expences, builded many goodly Houſes, and buildings: to the credit of the ſayde Burgh, and for the policie and decoration of the ſame. By the which ſtackes of Hather, Broome, Whinnes, and other Fewell, builded, and kept, within the ſayd Burgh, not onely are the neighbours of the

next adjacent parts thereunto, holden in continuall feare, and dreadour, and are in very great hazard, and danger, if eyther by negligence, or wilfull malice, (as GOD forbidde) Fire ſhould bee ſet in the ſayde ſtackes: as fell out by the fyring of ſome ſtackes in Peibles Wynde, in the 1584. yeare of GOD, But a great number of people who are inclined, and diſpoſed, to beſtow ſome part of their Eſtate upon building within the ſayd Burgh, are with-holden there-from, for feare of the ſayd ſtackes. And beſides this abuſe, which is both fearfull, dangerous, and hath produced many inconveniences, and great skaith, from time to time, to the ſayd Burgh: there is another ſhamefull abuſe therein: which although it bee not altogether ſo fearfull and dangerous as the other, yet it is noyſome to the whole civill and honeſt Neighbours, and to all the Nobilitie, and Countrey people, which come hither for their private adoes: And with that, it is deteſtable in the ſight of ſtrangers: corrupteth the aire, and carrieth many diſgracefull and ſhamefull imputations againſt the ſayd Burgh, as being a puddle of filth and filthineſſe: To wit, the overſight which is given unto Candle-makers, to keepe their ſhoppes and houſes where they melt their Tallone, and Cracklinges, within the Heart of the ſayd Burgh: And to Fleſhers, to keepe their Slaughter-ſhoppes within the Towne, and to tuime the filth of the ſlaughtered Goods upon the high ſtreetes, and in open Vennalles, and Cloaſſes: whereby it often times falleth out, that in many ſtreetes and Vennalles of the ſayde Burgh, the filth of ſlaughtered Goods is in ſuch aboundance expoſed unto the view of the people: and the cloaſſes and ſtreetes are ſo filled therewith, as there can no paſſage be had thorow the ſame. FOR removing of the which two abuſes, ſo dangerous and diſgracefull to the ſayd Burgh, The Kings Majeſtie, with adviſe of the Lordes of his ſecret Counſell, hath reſolved, concluded, commaunded, and ordayned, That from the firſt day of May next to come, there ſhall bee no ſtackes of Hather, Broome, Whinnes, nor other Fewell, kept, nor ſuffered to bee in any of the Vennalles, Wyndes, or Cloaſſes of the ſayde Burgh, nor within Houſes, nor upon the ſtreetes of the ſame: and that no Fleſhers ſhall bee ſuffered, by themſelues, their ſervaunts, or others in their names, to keepe any ſlaughter-houſes within this Burgh, nor in any Wynde, Cloaſſe, or Vennall of the ſame: nor to tuime the bloode, and filth of their ſlaughtered Goodes upon the ſtreetes, or in Cloaſſes, or Vennalles: Nor that no Candle-makers keepe their melting Honſes within the ſayde Burgh: But that the ſayde ſtackes of Hather, Broome, Whinnes, and other Fewell, ſhall bee carried, and ſet at ſome remote partes of the ſayde Burgh, beſide the Portes, Walles, or North-Loch ſide, where there are no Houſes. And that the ſayde Fleſhours ſhall provide themſelues of Slaughter-houſes, at the North Loch ſide, where they may haue the uſe of the water for the away-taking of the filth of their ſlaughter Goodes. And that the Candle-makers provide themſelues of houſes, for melting of their Tallone and Cracklinges, at ſome remote partes of the Towne, from the common ſtreets, cloaſſes, and vennalles of the ſame: AND ordaines Letters to bee directed, to make publication hereof, by open proclamation at the Market Croſſe of Edinburgh: wherethorow none pretend ignorance of the ſame: and to command, charge, and inhibite, all and ſundry perſons, Inhabitants

within the ſayd Burgh, of what Trade or Calling ſoever they bee: That they, nor none of them, nor none by their command, and direction, Found, build, or keepe, any ſtackes, or ruckes, of Hather, Broome, Whins, or other fewell, within any of the Cloaſſes, Vennalles, or waſte places of the ſayd Burgh, nor within their houſes: And that they remoue the ſtackes which they alreadie haue, and builde the ſame at ſome remote places, about the portes and walles of the ſayd Burgh, where there are no houſes, or at the North Loch ſide: Betwixt and the firſt day of May, next to come: under the paine of confiſcation of the ſame Hather, Broome, and Whinnes, ſo to be ſtaeked, againſt the meaning and intent of this Act, and further: under the payne of fiue hundreth poundes, to bee payd by them, ſo oft as they ſhall happen to fayle. And ſuch like, to command all and ſundry Fleſhours, Inhabitants within the ſayde Burgh, That they prepare themſelues of Slaughter-houſes, at the North Loch ſide: where they may haue the commoditie of water for their uſe: and that they in no wiſe preſume, nor take upon hand, after the ſayd day, to tuime the filth, or blood of their ſlaughtered Goods, upon the ſtreetes, nor in the vennalles, cloaſſes, and windes of this Burgh. As alſo, To charge all Candle makers, That they, betwixt and the day foreſayd, provide themſelues of houſes, for melting of their Tallone, and Cracklinges, at ſome remote partes of the Towne, from the common ſtreetes, cloaſſes, and vennalles of the ſame: under the paine of fiue hundreth ponndes money, to bee incurred by every perſon, Fleſhour, or Candle-maker, ſo often as they ſhall faile. AND ſuch like, to command, and charge the Proveſt and Bayllies of Edinburgh, That they haue a ſpeciall care and regard, to ſee this preſent Act to be preciſely and inviolably kept: as they will anſwer to his Maieſtie, and the ſayd Lords, upon the dutifull diſcharge of their Office.

ACT. XXX.

Act reſtrayning the buying and ſelling of certaine wylde Fowles.

OUR SOVERAINE LORD, with Adviſe and Conſent of the ESTATES of Parliament, Conſidering the great abuſe and libertie, which hath beene uſed theſe diverſe yeares by-gone, by the Subiectes of this Realme, in buying and ſelling of wylde Fowles, of the particular ſpaces following: to wit, Of Pouttes, Partrickes, Muirefowles, Blacke-cockes, Gray-hennes, Termigantes, Quayllies, Caperkayllies, &c. For reſtrayning of which abuſe in time comming, Our Soveraine Lord, with adviſe and conſent foreſayd, ſtatutes and ordaynes, That no perſon whatſoever within this Realme, preſume, nor take upon hand, to buy nor ſell, at any time hereafter, any Wylde fowles of the ſpaces foreſayd: under the payne of an hundreth pounds money to be incurred by the contravener thereof, buyer or ſeller. AND Ordaynes this preſent Act to haue the ſtrength and force of an Act of parliament, to be inviolably obſerved in all time hereafter, after, aye, and while the ſame be lawfully diſcharged, or altered.

ACT.

ACT. XXXI.

Anent Hunting, and Haulking.

OUR SOVERAINE LORD, And ESTATES of this preſent Parliament, ſtatutes and ordaines, That no man Hunt nor Haulke at anytime hereafter, who hath not a Plough of land in Heritage: under the payne of an hundreth pounds. ORDAINES His Maieſtie to haue the one halfe of the penaltie of the Contraveners of this preſent Act: and the Dilator to haue the other halfe of the ſayd penaltie.

ACT. XXXII.

Auent the harrying of Haulke Neſts, and Hunting in Snow.

OUR SOVERAINE LORD, And ESTATES of this preſent parliament, Ratifies, and Approues the Act of parliament, made by King JAMES the Third, of worthy memorie, in the ſeaventh parliament anent the unlaw of ſtealing of Haulkes, Houndes, Partrickes, and Duickes: in all and ſundry poynts, heads, articles, and clauſes thereof. With this addition, That the payne and penaultie of ten pounds therein contayned: SHALL BEE Now in all time comming augmented againſt the contraveners of the ſayd Act: under the payne of an hundreth pounds money of this Realme AND ALSO, ratifies, and approves, all Actes of parliament, made of before by His Maieſties moſt Noble progenitours, anent the ſlaying and hunting of Hares, Does, and Rhoes in time of ſnow: And ſtatutes, and ordaynes, the paine and penaltie againſt the contraveners thereof: to be vnder the paine of an hundreth pounds money, (*toties, quooies*) as they ſhall happen to contravene the ſame. And ordaynes the one halfe of the payne to be incurred by the contraveners of this preſent Act, to bee given to His Maieſtie: and the other halfe to the perſons Dilators of the contraveners of the ſame.

ACT. XXXIII.

ACT SALVO JVRE CVIVSLIBET.

FOR AS MUCH, As in this preſent Seſſion of Parliament, there are many Ratifications and Actes, in favoures of particular perſons paſt: wherein diverſe and new Clauſes are inſert, which may be preiudiciall to particular parties rights, and derogatiue unto many and ſundry Lawes lawfully made, and eſtabliſhed of before: albeit the meaning of the Eſtates be at this time, as it was ever in all preceeding parliaments, That by no Act of Ratification, or Act granted unto any particular perſon, any other partie ſhould bee hurt or prejudged. For remeid whereof, it is ſtatuted and ordayned, That no Ratification, nor other Act, made in favours of any particular perſon, ſhall bee preiudiciall to any private parties right: But that the ſayd Ratifications and Acts, made in favours of particular perſons, bee alwayes underſtood, SALVO JuRE CuJuSLIBET.

ANE TABLE OF THE PARTICVLAR ACTES AND OTHERS,

Not Printed, paſt in the xxiij. Parliament, holden at Edinburgh, the 4. of Auguſt, 1621.

1 Commiſsion anent Moneyes.
2 Commiſsion anent the Taxt Rolle, within the Shyreſſdome of Kincardin.
Commiſsion anent Coales, and Coale-heughes.
3 Commiſsion for modifying of Blench Dueties, and Miniſters
4 Stipends, in erected Prelacies.
5 Reference to the Secret Counſell, anent Maultſters.
6 Another anent the In-bringing of water to Edinburgh.
7 Reference to the Secret Counſell anent the Clangregor.
8 Reference to the Secrete Counſell, anent the Taxation of the Shyreſſdome of Linlithgow.
9 Reference to the Secret Counſell, anent the Profeſſors of Medicine.
10 A Ratification in favours of the Marquis of Hamilton.
11 An Act Vniting the Proveſtrie of Kirke-heugh, unto the Archbiſhopricke of Sainct-Andrewes, with diverſe exceptions.
12 Ratification in favours of the Earle of Angus.
13 An Act in favours of the Earle of Nithiſdaile.
14 Act, in Favours of the Earle of Winton, anent the Regalitie of Sainct Andrewes, on the South ſide of Forth.
15 Proteſtation made for Iohn Murray of Lochmaben, anent Tunninghame.
15 Ratification, and new diſſolution in of Iedburgh and Cannabie, in favours of the Earle of Hume.
17 Ratification in favours of the Earle of Lowthian.
18 Ratification in favours of the Earle of Roxburgh, anent Kelſo and Leſmahago, with a new diſſolution.
19 Ratification in favours of the Earle of Kellie.
20 Ratification in favours of the Earle of Melros, of his Infeſtment of Binning. &c.
21 Another of the Earle of Melros, of his Infeſtment of Melros, with a new diſſolution.
22 Act in favours of the Vicount Lawderdaile, anent Boltoun.
23 Diſſolution of the Priorie of Haddingtoun, in favours of the Maſter of Lawderdaile.
24 Diſſolution of the Priorie of Cauld-ſtreame in favours of Sr Iohn Hamilton of Trabroune, Knight.
25 Annexation of the Chappell Royall to the Biſhopricke of Dumblane.
26 Ratification to Alexr Biſhop of Dunkeld, of his Infeſtment of Baltroddie.
27 Ratification to the Biſhop of Dumblaee, of his Infeſtment of Kinnuchar.
28 Proteſtation made for the Lord of Lorne.
29 Diſſolution of the Kirk of Kilmachormuk, from the Abbacie of Kilwinning, and an union thereof to the Biſhopricke of Argyle.

All

30 *Act in favours of the Lord* Kilmawers, *anent the Kirke of* Dreghorne.
31 *Ratification in favorrs of the Lord* Spynie.
32 *Ratification in favours of the Lord* Loudoun, *of his Infeftment of* Kyleſmuire, *&c.*
33 *Ratification to the Lord of* Scone, *of his Infeftment of* Drunduffe, *&c.*
34 *Act in favours of Sir* Andro Ker.
35 *Ratification to the Lord of* Carnegie, *of his Barronie of* Ferne, *&c.*
36 *Act in favours of* John Stewart, *anent his Rehabilitation.*
37 *Erection of* Coldinghame, *in favours of* Iohn Stewart.
38 *Diverſe Proteſtations, againſt the ſayd Act, made in favours of* Iohn Stewart.
39 *Act in favours of Sir* Richard Cockburne, *Lord Privie Seale.*
40 *Ratificatton to Sir* Richard Melvill, *of his Infeftment of* Lethun, Monimaile, *&c.*
41 *Ratification to Sir* Geurge Hay, *of his Infeftment of* Kilſawnes, *&c.*
42 *Ratification to Sir* William Oliphant, *and his ſonnes, of their Infeftments of diuerſe landes.*
43 *Act in favours of Sir* Andro Hamiltoun, *of* Reidhouſe.
44 *Ratification in favours of* Iohn Murray, *of* Lochmaben, *of two Infeftments.*
45 *Ratification in favours of* John Levingſtoun, *of his Infeftment of* Kinnaird.
46 *Ratification in favours of* Iohn Achmutie, *of his Infeftment of* Scougall.
47 *Ratification of diverſe Infeftments, graunted to the Towne of* Edinburgh.
48 *Ratification to the Towne of* Edinburgh, *of the libertie of bearing a Sword of Iuſticiarie, of Peace, of Vnlawes, the Exſyſe of wine, the Iadgerie, &c.*
49 *Ratificatitn of diverſe Infeftments granted to the Towne of* Edinburgh, *for ſuſtentation of Colledge, Miniſters, and Hoſpitals.*
50 *Act diſjoyning the parts lying within the Ports of* Edinburgh, *from* Sainct Cuthbert, *and* Holy-Rood-Houſe.
51 *Act in favours of the Keepers of the Kings Caſtles.*
52 *Proteſtation made for the Earle of* Errole, *Great Conſtable.*
53 *Proteſtation made by the Earle Marſhall.*
54 *Proteſtation made by the Earle of* Monteith, *and Lord of* Roſſe.
55 *Proteſtation of the Towne of* Lieth.
56 *Declaration in favours of other Burrtwes, anent the Actes granted in favours of* Edinburgh.
57 *Ratification in fauours of Maſter* Alexander Gibſon, *Laird of* Durie.
58 *Ratification in fauours of the Laird of* Waichtoun.
59 *Act in favours of the Laird of* Lochinvar.
60 *Act in favours of the Laird of* Caddell.
61 *Act in favours of the* Laird *of* Whittinghame.
62 *Act in favours of the* Laird *of* Corſtorphin.
63 *Act in faveurs of the* Laird *of* Buchanane.
64 *Act in favours of the* Laird *of Saint* Monans.
65 *Act in fauours of Sir* Iohn Scot, *of* Scots-Tarvet.
66 *Two Actes in fauours of* Alexander Cranſtoun of *Moreſtoun.*
67 *Act in fauours of the* Laird *of* Ruchlaw.

68 *Act in favours of* William Barcklay, *of* Innergellie.
69 *Ratification to Master* Thomas Hope, *of* Craighall, *of his Infeftment of* Arnydie.
70 *Act anent the Union of the Landes of* Kinninmonth, *&c. vnto the Kirke of* Seres.
71 *Act in favours of the Vniversitie of* Saint-Andrewes.
72 *Act in favoure of Master* William Forbes, *of* Craigievar.
73 *Licence to Sir* George Hay, *anent selling of his Tron.*
74 *Ratification to* William Maxwell, *of his Infeftment of* Justing Leys *and Vicarage of* Kirkbeane.
75 *Ratification in favours of the Laird of* Corstorphin.
76 *Ratification of the Gift of the Chamberlainrie of* Fyffe, *graunted vnto vmwhile Sir* James Hay.
77 *Commission to the Lordes of Session, in favours of the Lord of* Spynie.
78 *Act in favours of* James Winrame.
79 *Act in favoures of Master* Walter Wheitfurde, *anent the Ministerie of* Fanfurde.
80 *Act in favours of Sir* George Hume, *of* Manderstoun.
81 *Act in favours of Master* William Kellie.
82 *Act in favours of* William Dowglas, *of Cavers.*
83 *Ratification in favours of the Towne of* Elgin.
84 *Act in favours of Sir* Iohn Campbell, *anent the Kirke of* Loudun.
85 *Ratification in favours of the Towne of* Elgin.
86 *Acceptation by the Parliament of the Offer made by the extraordinary Lords of Session, anent their Taxation.*
87 *An Act, and Commission, granted by Parliament, vpon the offer made by the Advocates, and other Members of the Colledge of Iustice, anent their Taxation.*

The end of the XXiij. and last Parliament, of Good King *James* the Sexth.